

In The Matter Of:

JORDAN

vs.

PREMIER ENTERTAINMENT BILOXI, et. al.

ALYSSA JORDAN

April 2, 2014

MERRILL CORPORATION

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

JASON JORDAN; ALYSSA JORDAN,
INDIVIDUALLY AND ON BEHALF OF
THE ESTATE OF UNBORN BABY JORDAN,
DECEASED AND ON BEHALF OF ALL OF
THE HEIRS AT LAW AND WRONGFUL DEATH
BENEFICIARIES OF UNBORN BABY JORDAN,
DECEASED; AND CHRISTOPHER SOUKUP PLAINTIFFS

VS. CIVIL ACTION NO. 1:13cv195 LG-JMR

PREMIER ENTERTAINMENT BILOXI, LLC d/b/a
HARD ROCK HOTEL & CASINO BILOXI; THE
CITY OF BILOXI, MISSISSIPPI; DOE
DEFENDANT ONE; JOSHUA HAMILTON, IN HIS
OFFICIAL AND INDIVIDUAL CAPACITIES;
DOE DEFENDANT THREE; DOE DEFENDANT
FOUR; DOE DEFENDANT FIVE AND DOE
DEFENDANTS 6-10 DEFENDANTS

DEPOSITION OF ALYSSA JORDAN

Taken at the offices of Page, Mannino,
Peresich & McDermott, 759 Howard Avenue,
Biloxi, Mississippi, on Wednesday, April
2, 2014, beginning at approximately
2:27 p.m.

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STIPULATION

It is hereby stipulated and agreed by and between the parties hereto, through their respective attorneys of record, that this deposition may be taken at the time and place hereinbefore set forth, by Janna White, C.S.R., Court Reporter and Notary Public, pursuant to the Federal Rules of Civil Procedure, as amended;

That the formality of READING AND SIGNING is specifically NOT WAIVED;

That all objections, except as to the form of the questions and the responsiveness of the answers, are reserved until such time as this deposition, or any part thereof, may be used or is sought to be used in evidence.

1 ALYSSA JORDAN,
2 having been duly sworn, was examined and
3 testified as follows:

4 EXAMINATION

5 BY MR. STEWART:

6 Q. Would you state your full name, please.

7 A. Alyssa Shea Jordan.

8 Q. Do you prefer to be called Alyssa or
9 Mrs. Jordan or what's your --

10 A. Alyssa is fine.

11 Q. Alyssa, my name is David Stewart. We
12 met just a second ago. I'm the attorney for Hard
13 Rock Casino. I'm going to ask you some questions
14 with regard to the lawsuit which you and your
15 husband and Mr. Soukup filed against my client and
16 the City of Biloxi and Joshua Hamilton.

17 In the course of this, if you would,
18 try to answer out loud.

19 A. Okay.

20 Q. As you can tell, we have a court
21 reporter. So she has to take down everything you
22 say. Also, if you will, let me finish my
23 questions before you answer. I'll also try to let
24 you answer before I interrupt you and ask another
25 question. Okay?

1 A. Okay.

2 Q. That makes a clean transcript, so there
3 is no confusion about the question and answer.

4 A. Okay.

5 Q. Also, if you could try to stay away
6 from -- you're not from the South, so I don't know
7 if you use words like uh-huh and huh-uh.

8 A. No.

9 Q. We do it a lot down here.

10 A. I don't even use y'all. So we are
11 good.

12 Q. We're good then. If you don't use that
13 word, we won't have to try to figure out which one
14 it is later on. We try to stick with yes or no's
15 where it's appropriate.

16 If I ask you something you don't
17 understand, please let me know, and I'll be glad
18 to rephrase it for you. Okay?

19 A. Okay.

20 Q. What's your current address, please?

21 A. 121 O'Donnell Drive, Biloxi,
22 Mississippi, 39531.

23 Q. How long have you lived there?

24 A. Since January I moved in.

25 Q. January of '13? I mean '14?

1 A. Yes.

2 Q. Where did you live before that?

3 A. 300 Laura June Drive, Leroy, Michigan,
4 49655.

5 Q. How long did you live there?

6 A. Four months while my husband was
7 deployed.

8 Q. Is that your family home or is that
9 your --

10 A. It's his parents.

11 Q. Where did you live before that?

12 A. 828 Oakley Avenue, Apartment 9,
13 Gulfport, Mississippi, 49507, I think.

14 Q. 39507?

15 A. Yeah, that sounds better.

16 Q. I think that's right.

17 How long did you live at that address?

18 A. Since September of 2011.

19 Q. Is that when you moved to the Coast?

20 A. Yes, with my husband.

21 Q. You and Jason?

22 A. Yes.

23 Q. And Jason is Jason Jordan, your
24 husband, right?

25 A. Yes.

1 Q. We've had some Jason confusion so far
2 in this case. When I am referring to Jason to you
3 I'll be talking about your husband. Okay?

4 A. Okay. Good. I don't know another
5 Jason.

6 Q. Where did y'all move from in September
7 '11?

8 A. The 300 Laura June Drive address.

9 Q. How long had y'all previously lived
10 there?

11 A. A year.

12 Q. When were y'all married?

13 A. August of two thousand -- well, no.
14 Technically June of 2011 because we did one in
15 Texas before we did our actual wedding. So our
16 actual wedding date is June 5th, 2011.

17 Q. Okay. In Texas?

18 A. Yes.

19 Q. And then after that you lived with his
20 parents?

21 A. Yes. Like, I was currently living with
22 them. He was in tech school and like boot camp.
23 So I lived with them. But like, we got married
24 while he was in tech school so I could move with
25 him right away even though we already had an

1 actual wedding planned.

2 Q. I got you.

3 Where are you from originally?

4 A. Marion, Michigan.

5 Q. Is that the same place Jason is from?

6 A. No. He's from Leroy.

7 Q. Are they close together?

8 A. Twenty minutes.

9 Q. If I understand his testimony, y'all
10 worked together at a theater for some period of
11 time?

12 A. Yes, for two years.

13 Q. When did y'all become boyfriend and
14 girlfriend?

15 A. June of 2010.

16 Q. And you got married right at a year
17 later?

18 A. Yes.

19 Q. Do you have a separate identification
20 number that's issued by the military, or do you
21 use his number on things?

22 A. I use his number, like he is my
23 sponsor, but I have an I.D. card. I don't know.
24 Like, I think there might be a number on it. I
25 have it with me.

1 Q. You do not have it with you?

2 A. I do have it with me.

3 Q. I would like to get that number,
4 please. And also your driver's license while
5 you're in there.

6 A. I don't know if there is a number, but
7 that's my military number.

8 Q. It says, DOD I.D. number 1404-98-4604.
9 That's an identification and a privilege card,
10 United States Uniform Services. Do you know if
11 that is also Jason's?

12 A. I don't. I don't know. I just know I
13 use this to like get on base. But when I like get
14 appointments and stuff, I use like the last four
15 of his. So his number is probably different from
16 mine.

17 Q. And you have a Mississippi driver's
18 license, 802404276, correct? Does that sound --

19 A. Yes, yeah.

20 Q. I wouldn't remember mine either.

21 No restrictions on your driver's
22 license, right?

23 A. Right.

24 Q. What's your date of birth?

25 A. 9/9/1989.

1 Q. Which makes you how old?

2 A. Twenty-four.

3 Q. What is your educational background?

4 A. Just high school diploma. I did a CNA
5 course, but I never got certified in it.

6 Q. Where did you go to high school?

7 A. Marion Junior Senior High School.

8 Q. In Marion, Iowa?

9 A. Michigan.

10 Q. Michigan.

11 A. There is a Marion in Illinois, so -- or
12 Indiana.

13 Q. Other than the CNA --

14 A. I did a few courses at NMC, Mount
15 Pleasant Michigan, but I ended up dropping out.

16 Q. NMC?

17 A. Yes. Northern Michigan Community
18 College.

19 Q. Was there a particular field of study?

20 A. I was going for nursing.

21 Q. And your CNA, that's a nurse's aide?

22 A. Yes, certified nursing assistant.

23 Q. Did you finish that?

24 A. I finished the course. I just never
25 got state certified.

1 Q. Have you made an effort to get state
2 certified in Mississippi?

3 A. No, I didn't.

4 Q. What are your plans, you and Jason, are
5 y'all planning to stay in Mississippi, or are you
6 planning to go somewhere else or do you have a
7 plan?

8 A. It's whatever the Air Force does
9 because they can move him right now if they
10 wanted. He is going to be making a career out of
11 it, so.

12 Q. What about you, are you working
13 anywhere?

14 A. Not currently because I just got back.

15 Q. From?

16 A. Michigan.

17 Q. You haven't made any effort to work
18 since you got here in January?

19 A. No, because I think I'm going to go to
20 bartending school.

21 Q. Bartending school?

22 A. Yes. That's what I'm looking into,
23 bartending or gaming school.

24 Q. Have you made application with any of
25 those type of schools?

1 A. No. I've just looked online into the
2 pricing and stuff and we're talking about it.

3 Q. Where would you think those are that
4 are available to you? Where have you looked at?

5 A. There is one, the Crescent school in
6 Gulfport.

7 Q. What is your employment background? I
8 know you've worked at a variety of retail places
9 like that.

10 A. Yes.

11 Q. Back before this incident, where had
12 you worked, the last few jobs?

13 A. I worked at the theater, and I worked
14 at a gas station before, like before the incident.
15 Those were like my two jobs.

16 Q. Did you work afterwards?

17 A. Yes. I worked at Body Central at the
18 mall, Bath and Body at the mall. When I was in
19 Michigan, I worked two jobs. I worked at
20 Goodwill, and I also worked at Javo. That's where
21 they sell espresso stuff.

22 Q. A coffee shop?

23 A. Yes.

24 Q. Were you actually working on the date
25 of this incident?

1 A. Yes, I did.

2 Q. Where were you working?

3 A. Chevron gas station on Pass Road.

4 Q. In Gulfport?

5 A. Yes.

6 Q. Right at Ford, is that the intersection
7 of Ford and Pass Road?

8 A. I'm not sure. It's the one right next
9 to my house. I don't know. It's like one, two,
10 three --

11 Q. Close to Mardi Gras World?

12 A. Yes. I also worked at New York and
13 Company, too. I forgot to say that because that
14 was in between.

15 Q. Did you work on the date of this
16 incident, the actual day?

17 A. Yes, I did. I worked that night.

18 Q. That night. What time did you get off?

19 A. 10:15, I would guess, because we closed
20 at 10:00.

21 Q. Which place?

22 A. Chevron was the only I worked. I was
23 saying I worked at New York after. I forgot to
24 state that, yeah.

25 Q. So you closed the Chevron store at

1 10:00?

2 A. Yes.

3 Q. And then you went home?

4 A. Yes.

5 Q. What did you do at Chevron?

6 A. I was cashier and the closer.

7 Q. Did you return to that job after this
8 incident?

9 A. Yes. I still worked there --

10 Q. How long?

11 A. -- in November. Well, I quit like
12 around that time because it was dangerous because
13 people -- like, I closed out night alone. And
14 people were always coming, and it was just like
15 sketchy. But I don't remember exactly. It was in
16 November.

17 Q. Of 2011?

18 A. Yes.

19 Q. This incident happened on what day; do
20 you recall?

21 A. No, I do not.

22 Q. Would you agree it was late November?

23 A. Yeah, it was the end of November.

24 Q. And you quit Chevron after that?

25 A. Yes.

1 Q. Not because of the facts of this
2 incident?

3 A. No, no. I had already put in my two
4 weeks before this incident.

5 Q. Were you within those two weeks when
6 this incident occurred?

7 A. Yes.

8 Q. You tendered your two-week resignation?

9 A. Yes.

10 Q. Did you do that in writing?

11 A. I don't remember.

12 Q. Do you remember who your supervisor
13 was?

14 A. We called him Farhan. I don't know his
15 last name.

16 Q. Farhan?

17 A. Yes. He was Arabic background, so I
18 don't think that was his actual name. It's just
19 what we called him. He was the supervisor and
20 like ran the store.

21 Q. You wouldn't know how to spell that,
22 would you?

23 A. I spelled it F-A-R-H-A-N.

24 Q. That's what I just wrote down.

25 A. Okay.

1 Q. Have you ever been legally separated
2 from Jason?

3 A. No.

4 Q. Other than deployment, have you ever
5 lived apart?

6 A. Not since we've been married.

7 Q. Was there ever a time in your dating
8 relationship from the time that you started dating
9 in June of 2010 that y'all broke up?

10 A. No.

11 Q. Has Jason ever been charged, to you
12 knowledge, with any form of domestic violence or
13 abuse?

14 A. No.

15 Q. Have you?

16 A. No.

17 Q. Have y'all ever called the police on
18 each other for any reason?

19 A. No.

20 Q. Or either of you?

21 A. No.

22 Q. Other than the facts of this incident,
23 to your knowledge, has Jason ever been the subject
24 of any sort of investigation by the military?

25 A. No.

1 Q. You have never been convicted of a
2 felony in the last ten years, right?

3 A. No.

4 Q. Any alcohol related convictions, public
5 drunk, disorderly conduct, DUI?

6 A. No.

7 Q. Have you or Jason ever had a
8 restraining order placed on you for any reason?

9 A. No.

10 Q. Have you ever been, you or Jason, to
11 your knowledge, ever been removed from a casino or
12 a place of business for any reason other than the
13 facts of this incident?

14 A. No.

15 Q. Have you ever trespassed, either one of
16 you, from a casino or any other business, and told
17 you weren't welcome to come back?

18 A. No.

19 Q. Have you ever been in the military
20 yourself?

21 A. No.

22 Q. Did you ever receive any training at
23 any of your jobs, whether at Chevron or any retail
24 job, with regard to alcohol service to the public?

25 A. No.

1 Q. Did the Chevron actually sell alcohol?

2 A. Beer.

3 Q. Beer. Have you ever had any job that
4 involved the service of alcohol?

5 A. The Chevron is the only one.

6 Q. What about in like a restaurant, casino
7 type context, have you ever worked in that setting
8 where you actually served alcohol to people?

9 A. No.

10 Q. Do you know if Jason ever has?

11 A. Not that I -- no.

12 Q. Are you aware of any disciplinary
13 proceeding that involved Jason after this
14 incident?

15 A. No.

16 Q. You don't know if Keesler punished him
17 in any way because of this incident?

18 A. He got an Article 15.

19 Q. Okay. Do you know what that means?

20 A. Not exactly. Like, I know he could
21 have potentially lost his stripes, but he just
22 ended up working 45 workdays.

23 Q. Could have lost a stripe?

24 A. Yes.

25 Q. Were you the subject of any sort of

1 proceeding or disciplinary proceeding by the
2 military after this incident?

3 A. No.

4 Q. You were never called in to discuss the
5 facts in the military at all?

6 A. I went with Jason one time to meet his
7 flight commander, but it wasn't like a
8 disciplinary. He was just talking about the
9 incident. I just went with Jason because it had
10 just happened.

11 Q. He didn't call you in under an
12 official --

13 A. No.

14 Q. This is one of those that I have to
15 finish.

16 As an official matter, he didn't call
17 you in to get a statement, your side of the story
18 or anything like that?

19 A. No.

20 Q. Have you ever, other than to an
21 attorney in this case, have you ever given a
22 written description of the facts?

23 A. No.

24 Q. Have you ever prepared that?

25 A. For him. I wrote one for Thomas.

1 MR. BELLINDER:

2 Any question he asks you won't
3 include --

4 THE WITNESS:

5 Okay. So, no.

6 MR. BELLINDER:

7 When he asks you do you know something,
8 if you know about it because I told you or we
9 talked about it, that doesn't count. Outside of
10 what you and I talk about or something that you
11 would have --

12 MR. STEWART:

13 Q. I talking about, at this point, we are
14 talking about your knowledge of things and
15 particularly in the course of any conversations
16 with the military or anybody, a Biloxi police
17 officer, city court. Did anybody ask you to write
18 out a version of the events?

19 A. No.

20 Q. Or any investigator or anyone like
21 that?

22 A. No.

23 MR. BELLINDER:

24 I probably should have told you that
25 earlier.

1 A. That's okay. I thought that's what he
2 meant, but I kind of misunderstood the question,
3 so I didn't want him to think I was not answering
4 correctly.

5 MR. BELLINDER:

6 No, that's fine. If you have any
7 questions for him, just ask.

8 MR. STEWART:

9 Just stop me. I haven't bitten anybody
10 in a long time.

11 (Off the record.)

12 | MR. STEWART:

13 Q. Do you know if Jason has ever had any
14 problems with drug or alcohol consumption?

15	A.	No.
----	----	-----

16	Q. Abuse or use?
----	------------------

17	A.	No.
----	----	-----

18 Q. He doesn't use any form of illegal
19 drugs?

20	A.	No.
----	----	-----

21 Q. He never has, to your knowledge?

22	A. Right.
----	-----------

23	Q. Have you?
----	--------------

24	A. Marijuana.
----	---------------

25	Q. How long ago was that?
----	---------------------------

1 A. Years. 2007 probably, I would say.

2 Q. That's not something you have done
3 close in time with this incident?

4 A. No, not at all. It wasn't even like --
5 like, I just tried it.

6 Q. I understand. Do you know if Jason has
7 received any form of demotion since this incident?

8 A. No.

9 Q. You indicated, I think you said he had
10 45 days as an Article 15, if I'm saying the right
11 word. What did that mean to you? What was your
12 understanding of that?

13 A. He -- on his days off, like how the
14 schedule was, whatever days he had off, he worked
15 those. So he worked 45 executive days.

16 Q. So they gave him -- basically his
17 punishment was to work straight through?

18 A. Yes. Sorry.

19 Q. From the date of this incident forward
20 or the date that it was determined, offered to
21 him?

22 A. Whenever, like the Article 15, it
23 wasn't -- it didn't happen like directly after the
24 incident. It was within the span, but it wasn't
25 like the Hard Rock happened and then the next day

1 he worked 45. But it was shortly after that. On
2 his off days he would like go clean out the
3 building.

4 Q. Do you have an understanding of what
5 happened in city court regarding charges?

6 A. For me?

7 Q. For you first and then we'll talk about
8 Jason.

9 A. No, because I didn't go.

10 Q. You never went to city court?

11 A. No, because I was in Michigan. And
12 when I called, they just said it was dismissed.
13 And when I asked, they just said there were no
14 charges. So I never really understood it. I just
15 know I was never charged with anything.

16 Q. And then, do you have an understanding
17 about Jason --

18 A. No.

19 Q. -- how his got resolved?

20 A. The military took him over. That's all
21 I know.

22 Q. Did you ever speak to anyone about that
23 process?

24 A. No.

25 Q. Did you understand what the basis for

1 Jason's Article 15 discipline was? Did they tell
2 him he did wrong?

3 A. I don't believe they ever did, but I
4 really don't know.

5 Q. To your knowledge, did he ever appeal
6 that decision or take issue with it above the next
7 guy, the next person in rank?

8 A. No, he never did, but I don't know that
9 he knew he could.

10 Q. Did you have any writings and papers
11 that came to your house that described that
12 process?

13 A. No.

14 Q. Would you agree that Jason has -- since
15 the end of that punishment going forward in time,
16 he was a successful airman at Keesler?

17 A. Yes.

18 Q. He has even been determined to be the
19 airman of the quarter --

20 A. Yes.

21 Q. -- fairly recently?

22 A. Yes. It was in December.

23 Q. December. So aside from that one mark
24 on his record, he's had a really good record since
25 then?

1 A. Yes, before and after.

2 Q. Did he have any accolades before or any
3 awards or merits? I used the wrong word because
4 I'm not in the military, but did he get any
5 special recognition or awards before this
6 incident?

7 A. Not that I remember.

8 Q. Do you live off base right now?

9 A. On base housing off base.

10 Q. Okay.

11 A. It's confusing. So we live in on base
12 housing, but it's technically not on the military
13 base. It's on Pass Road off base, but it's
14 considered military.

15 Q. It has access from off base. It's not
16 like -- you don't go through the gate?

17 A. We go through a gate, but it's not like
18 the gate where the security force is. We just
19 have a pin pad.

20 Q. I've got you. I understand. It's over
21 there by the VA, the old VA?

22 A. Yes. Like, we lived in Thrower Park.
23 There is West Falcon and East Falcon, as well.

24 Q. Where were you living at the time of
25 this incident?

1 A. The 828 Oakley Avenue address.

2 Q. So you were at that time, you were
3 completely off base.

4 A. Completely off base.

5 Q. Not on base, off base but --

6 A. No, just completely off.

7 Q. Do you know if Jason was ever afforded
8 the opportunity to deploy before this incident at
9 all?

10 A. He was supposed to, yes.

11 Q. Was he given the opportunity to deploy
12 and did not go?

13 A. Time out. Before the incident?

14 Q. Right.

15 A. Oh, no. Not before the incident.

16 Q. He had not reached a point that they
17 offered him that?

18 A. No. It was after the incident that he
19 was supposed to and didn't.

20 Q. When did he find out that he was
21 supposed to go initially, that one?

22 A. I don't remember.

23 Q. Did he find out before this incident
24 that he was in line to go to be deployed?

25 A. You're always up for deployment between

1 certain months.

2 Q. And he was in those months?

3 A. Yeah. Every year, you have -- like
4 every year the months come up. So he could deploy
5 every year potentially.

6 Q. I understand. Like, for example,
7 between October and November --

8 A. June and September --

9 Q. Okay.

10 A. -- are his months. I'm pretty sure
11 September, maybe August. But every year he could
12 deploy potentially if they needed him with
13 security forces.

14 Q. So if there was a call-up --

15 A. Yeah, like if they need him or if there
16 is an open space he can fill it because those are
17 his months to deploy.

18 Q. Do you know if there is an amount of
19 time that you have to be there before you can
20 qualify to get into those months?

21 A. They like you to be there within like
22 six months, is when you can deploy, I think.
23 Like, you have to wait six months. But then from
24 there on out -- but if he goes for a deployment,
25 you have to wait a year before you can redeploy.

1 Q. How long had he been in the military at
2 the time of this incident?

3 A. Nine months.

4 Q. So had he been through a deployment
5 window at that point?

6 A. Technically, no. He was in tech
7 school, so no.

8 Q. The next deployment window would have
9 been which months?

10 A. June through August or September. I'm
11 not exactly sure. But he was supposed to deploy,
12 but he didn't know it at the time of the incident.

13 Q. Does everybody have a different set of
14 months or is that --

15 A. Yes. I don't know how it works outside
16 his squadron, but I know for the security forces.

17 Q. And when he did deploy, where did he
18 go?

19 A. He didn't end up deploying in the first
20 time because his wrist was broken. But when he
21 just deployed, he was in Saudi Arabia.

22 Q. Was that something you were happy that
23 he deployed or not?

24 A. It wasn't dangerous, so I was happy
25 because if you have to deploy that would be a

1 place I would choose.

2 Q. What was your understanding of that
3 particular assignment?

4 A. Guarding the gates like he does here.

5 Q. Is that what he was doing at the time
6 of this incident was actually gate guard?

7 A. Yes. But at that time, before they
8 split up the things he could do, so he could watch
9 the planes, he could do the I.D. checks at the
10 gate.

11 Q. Did that change after this incident?

12 A. He couldn't arm up when he was like
13 during the 45 days. But it was because of his
14 wrist, too. And then, he ended up taking a job
15 while his wrist was still getting fixed at the
16 Visitors Center.

17 Q. Let me see if I understand. During
18 this 45 days, one of the reasons he couldn't arm
19 up is he was under discipline?

20 A. I believe so, yes.

21 Q. And then, you say also -- you indicate
22 also he couldn't arm up because he wasn't
23 physically able to?

24 A. Correct.

25 Q. Because of his left or right wrist?

1 A. Right.

2 Q. You and Jason do not have any children,
3 correct?

4 A. Correct.

5 Q. Have you ever been, before this
6 incident, at any point, have you ever been
7 pregnant?

8 A. No.

9 Q. In relation to the facts of this
10 incident, do you know as we sit here right now
11 what day you became pregnant?

12 A. They said they would guess
13 Thanksgiving, but it wasn't like a definite. So I
14 was already miscarrying at the time.

15 Q. Who is "they" first of all?

16 A. Like Keesler Hospital.

17 Q. Is there a particular individual who
18 you recall telling you that?

19 A. I believe Judith Cortey, my doctor, but
20 I could be mistaken because I don't -- I talked to
21 multiple people.

22 Q. Do you know what type of doctor Judith
23 Cortey is?

24 A. She is my family practitioner. But
25 before that I went to the ER.

1 MR. BELLINDER:

2 I think she is a nurse practitioner. I
3 may be wrong. But from what we looked at, I think
4 she's a nurse prac.

5 MR. STEWART:

6 Q. Do you know by any chance if she
7 specializes in obstetrics, OB/GYN type stuff?

8 A. I don't know. She does everything for
9 me.

10 Q. So she is like the equivalent of a
11 family doctor, except she is a nurse practitioner?

12 A. Yes. I don't know. I see her for
13 everything. I just ended up going to the ER,
14 which is where I found out everything else. But I
15 don't remember -- I know he was a man. I don't
16 know his name.

17 Q. Do you happen to recall that year when
18 Thanksgiving fell?

19 A. I want to say it was the 27th, but I
20 don't -- like, that's just me guessing because I'm
21 pretty sure I remember, but I'm not exactly sure.

22 MR. BELLINDER:

23 I don't want you to guess.

24 MR. STEWART:

25 Q. Your recollection of what you were

1 told, was it -- they were guessing Thanksgiving?

2 A. Yes. The weekend of Thanksgiving.

3 Q. Whatever year that was -- I mean,
4 whatever day that fell on in 2011?

5 A. Yes.

6 Q. Did anyone else ever say exactly when
7 they believed that you had become pregnant?

8 A. I don't understand the question.

9 Q. Did any other physician ever estimate
10 the day, the approximate time, that you became
11 pregnant?

12 A. No. Whoever told me was the only
13 person.

14 Q. At that time, that guess about
15 Thanksgiving, was that consistent with your
16 physical interaction with your husband?

17 A. Yes.

18 Q. Were you, at that time, you and Jason,
19 contemplating having a child at that time?

20 A. No.

21 Q. Were you -- I said you and Jason. Were
22 you individually planning to have a child at that
23 time?

24 A. No.

25 Q. You did not go off -- let me ask you

1 this: Were you on any form of contraception?

2 A. I have never been on any form of
3 contraception since me and Jason have been
4 together.

5 Q. For two years?

6 A. Yes.

7 Q. Talking June of 2010?

8 A. Yes, since June of 2010.

9 Q. Do you have any reason to have a
10 prescription for contraception -- contraceptive
11 medicines?

12 A. I don't understand the question again.

13 Q. Is there any reason why you would have
14 a prescription for those medications that exist?
15 Otherwise -- sometimes they're not always for
16 contraception. Sometimes there is other reasons
17 they give those certain medications.

18 Are you aware of any doctor that said,
19 hey, we need to put you on so and so medication,
20 by the way it's contraception?

21 A. No.

22 Q. You're not on anything else?

23 A. No.

24 Q. Have you ever lived in New York?

25 A. No.

1 Q. So at the time of this incident and
2 preceding, several years, two years before, you
3 were not making any effort to prevent pregnancy in
4 terms of taking pills, medications?

5 A. Correct.

6 Q. Were you doing anything else to prevent
7 pregnancy? Is there any particular -- were you
8 using any other contraceptive devices besides the
9 pill or some similar device?

10 A. No.

11 Q. So you were just simply letting nature
12 take its course?

13 A. Correct.

14 Q. Did y'all contemplate the ramifications
15 of that? Did y'all talk about, hey, we could have
16 a baby if we keep doing this?

17 A. No.

18 Q. At any time after this incident, have
19 you been pregnant for any period of time?

20 A. No.

21 Q. What is your recollection of the time
22 frame of after this incident that you first became
23 aware that you were or could have been pregnant?

24 A. It would have been in December, but I
25 don't remember the exact date. It was the night I

1 went to the ER.

2 Q. How did you become aware of that fact?

3 A. I got -- they gave me a pregnancy test,
4 and then they did an exam.

5 Q. So that was at the Keesler emergency
6 room, Keesler Air Force Medical Center?

7 A. Yes.

8 Q. What did they tell you in regards to
9 the pregnancy test?

10 A. It was positive.

11 Q. You don't recall when that first came
12 up?

13 A. It was a few days -- I know it was a
14 few days before December 24th because that's when
15 I found out I was actually miscarrying, but I
16 couldn't tell you an exact date.

17 Q. When did you first have any symptoms to
18 make you believe that you might be having a
19 miscarriage?

20 A. December 8th I started my, what I
21 thought, was my period.

22 Q. I'm going to get myself in trouble
23 asking these kind of questions, I'm sure but --
24 your monthly cycle, is it a -- does it happen on a
25 regular recurrent cycle?

1 A. Yes, like --

2 Q. What is it? Just help me out here a
3 little bit.

4 A. I don't have like an exact day. Like,
5 but it's within the 28 days usually of a woman's
6 cycle. But it's not like I start on the 13th
7 every month. It's usually within -- but it's like
8 a few day range.

9 Q. What's the range --

10 A. Like usually within, like the
11 three-day, like I usually can start a day before,
12 I usually start the day after. There is like
13 three days within the 28 days I usually start, if
14 that makes sense.

15 Q. Do you know which three days of the
16 month those are?

17 A. They are different now than they were
18 then. I don't --

19 Q. Do you know what they were back then?

20 A. I have no idea.

21 Q. Do you know what they are now?

22 A. Now? I have to think. The 26th, 27th,
23 and 28th.

24 Q. Do you, as we sit here now, do you have
25 any recollection of the last time you had a period

1 before this incident?

2 A. November.

3 Q. The month of November. Can you be more
4 specific?

5 A. I don't remember the date.

6 Q. Sometime before Thanksgiving, I would
7 assume?

8 A. Yes. Wait. No. I have no idea the
9 date. It was when Tower Heist came out. Like, I
10 know that doesn't help you at all. But when Tower
11 Heist came out. But I can't tell you. So I think
12 it might have been October.

13 Q. What is Tower Heist?

14 A. It's the movie with Ben Stiller. I
15 remember because I started the night we went and
16 saw it at the theater.

17 Q. And that was the last time you had a
18 period?

19 A. Yes.

20 Q. That was the beginning of it?

21 A. Yes.

22 Q. Where did you go see this movie?

23 A. D'Iberville, the Grand 18. If I had my
24 ticket stub on me, I could tell you. I just
25 remember like back then trying to figure it out so

1 I could tell you. But I can't recall it now
2 because it's been two years.

3 Q. That was the last time you had a
4 menstrual period?

5 A. Yes.

6 Q. The beginning of it?

7 A. Yes.

8 Q. At the point of this incident, had you
9 missed a period, to your knowledge?

10 A. No. That would have been the one I
11 missed. And I was a few days late. But I started
12 bleeding, so I just assumed it was my period.

13 Q. The one that happened, when you said, I
14 think you said --

15 A. Yes.

16 Q. -- when you said after this incident,
17 when did that -- the 8th?

18 A. December.

19 Q. December the -- two weeks before the
20 24th?

21 A. I started bleeding on the 8th. I found
22 out about my miscarriage on the 24th.

23 Q. Okay. I've got you. So the 8th is the
24 one --

25 A. So I did bleed in November. It was the

1 beginning of November. Then at the beginning of
2 December, I think I was two or three days like
3 past my period, but sometimes it varies. When you
4 hang out with girls, it changes. And then I just
5 assumed it was my period because it wasn't that
6 far off. I didn't think anything of it.

7 Q. Did you notice anything unusual about
8 that period?

9 A. Nope. It started exactly how it always
10 does.

11 Q. Nothing seemed unusual or out of the
12 ordinary at all to you?

13 A. No.

14 Q. From the time before this incident,
15 around Thanksgiving, forward to that day, did you
16 notice anything at all, any changes in your body
17 at all?

18 A. No.

19 Q. No indication to you that you might be
20 pregnant?

21 A. No.

22 Q. No indication to you that you felt
23 anything physically going on in your uterus, for
24 lack of a better description?

25 A. No.

1 Q. You know what I'm saying? You didn't
2 feel the presence of a baby in you?

3 A. No.

4 Q. You didn't feel any movement in your
5 body --

6 A. No.

7 Q. -- that told you, hey, I might be
8 pregnant or there is something going on here?

9 A. No.

10 Q. Did you lose any wages as a result of
11 this incident?

12 A. One day. But I chose not to go in.

13 Q. When was that?

14 A. The day after the incident.

15 Q. Why did you not go in?

16 A. Because my husband was bruised and in
17 pain and I chose to stay home and take care of
18 him.

19 Q. Did you have any bruises?

20 A. No.

21 Q. Did you have any marks at all on your
22 face or body?

23 A. No.

24 Q. Did you get struck during the course of
25 this event?

1 A. No.

2 Q. You didn't get contacted at all?

3 A. No.

4 Q. Your husband did not strike you?

5 A. No.

6 Q. Have you seen video of this incident?

7 A. Yes.

8 Q. Did you ever see any video that led you
9 to believe that you might have been struck?

10 A. Not that I recall, no.

11 Q. Then, the one day you're talking about,
12 that's at the Chevron?

13 A. Yes.

14 Q. This was in your last two weeks of
15 work?

16 A. Yes.

17 Q. And you could have gone to work. There
18 was nothing about your condition that day that
19 kept you from going to work?

20 A. Besides me being tired, no.

21 Q. Why were you tired?

22 A. Because I was in jail that day, as
23 well, well, the drunk tank.

24 Q. Did you have anything to drink on the
25 night of this incident?

1 A. I had two sex on the beaches.

2 Q. What is that?

3 A. It is a mixed drink. It has peach
4 schnapps, vodka, cranberry juice and orange juice.

5 Q. Do you have any idea what the
6 quantities of those are?

7 A. I think -- no, I would be guessing. I
8 have no idea.

9 Q. In terms of the different ingredients?

10 A. No.

11 Q. You don't know how much of each is in
12 there?

13 A. No. I don't know how much of each they
14 put in there.

15 Q. You had two of those. When did you
16 first get those?

17 A. When I first arrived at the Hard Rock.

18 Q. Let's back up. You got home from work,
19 you said you got off at 10:15?

20 A. Yes.

21 Q. You go straight home to Oakley Avenue?

22 A. Yes.

23 Q. Is Jason there yet?

24 A. Yes.

25 Q. What do y'all do there?

1 A. I change, and we leave.

2 Q. Was he already changed when you get
3 there?

4 A. Yes.

5 Q. Do you know what time he got off?

6 A. No.

7 Q. Did you communicate with anyone before
8 this event about going?

9 A. Just Miller and Soukup and them, who
10 were meeting us there.

11 Q. Who is Miller?

12 A. I don't know his name, but he was in
13 the Air Force. And then Shawn Hargraves and Chris
14 Soukup. Those were like the three.

15 Q. They were the guys who was organizing
16 the outing?

17 A. It was actually Miller because he was
18 about to get out of the Air Force, and then we
19 were all just meeting up.

20 Q. Did you communicate with any of the
21 females, the spouses or girl airmen?

22 A. No.

23 Q. Do you call them airmen if they're
24 girls?

25 A. I call her Courtney.

1 Q. Who is Courtney?

2 A. Nichols. Well, she was Nichols at the
3 time. They are divorced.

4 Q. Do you know where she is now?

5 A. She actually just got PCS'd to Wyoming.

6 Q. PCS?

7 A. Yes.

8 Q. Do you know what that stands for?

9 A. No idea.

10 Q. PCS'd to Wyoming?

11 A. No.

12 Q. Do you know where in Wyoming?

13 A. No. I just contacted her after like a
14 year and a half to hang out but --

15 Q. Do you have an email or cell phone or
16 anything with her contact information?

17 A. I have a phone number.

18 Q. Okay. Can you provide that to your
19 attorney, or do you have it with you?

20 A. I have it on my phone.

21 Q. Do you have any other phone numbers of
22 anyone else who was present at the Hard Rock that
23 night?

24 A. No.

25 Q. What about Kayla Soukup?

1 A. No.

2 Q. Do you communicate with her at all?

3 A. No.

4 Q. By Facebook or anything?

5 A. We're Facebook friends, but we don't
6 talk.

7 Q. Are you Facebook friends with anyone
8 else who was present at the Hard Rock on the night
9 of this incident?

10 A. Chris.

11 Q. Chris?

12 A. Soukup. And obviously my husband.

13 Q. Anyone else?

14 A. No.

15 Q. Kayla.

16 A. Yeah.

17 Q. But not Courtney?

18 A. She doesn't have Facebook.

19 Q. Other than those folks, is there
20 anybody else that you can recall who was present
21 at the Hard Rock that night?

22 A. Al Nichols. And then Sergeant Reimer.
23 And then, there was a guy named Charles. I'm
24 pretty sure that's his name. That's all I
25 remember.

1 Q. Charles?

2 A. Yeah, he was the -- yeah, he was the
3 bigger blacker guy -- the black guy. But I don't
4 know.

5 Q. Heavyset, short or tall?

6 A. He is taller than me.

7 Q. How tall are you?

8 A. 5'6".

9 Q. Do you recall, there was a black male
10 wearing a sweater vest. Do you know who that was?

11 A. I believe that's Charlie, but I don't
12 remember for sure.

13 Q. You don't know his last name?

14 A. No. I just remember his name because
15 he was hanging out with us.

16 Q. Was everybody involved in this
17 incident, before the Hard Rock got there, was it
18 all Air Force people?

19 A. Like, going to the Hard Rock?

20 Q. Well, actually involved in the
21 incident, was it all Air Force personnel?

22 A. Who got like arrested and --

23 Q. Just any altercation, argument, fight,
24 anything up to the point before Hard Rock arrived,
25 before Biloxi police got involved, was it all Air

1 Force people?

2 A. Yes, except -- yeah, except Chris.
3 Like, he works for the Air Force, but he is not
4 technically Air Force.

5 Q. Chris Soukup?

6 A. Yes.

7 Q. They are all people who had a role at
8 Keesler and were involved in this outing?

9 A. Yes, except for me and Kayla.

10 Q. Right.

11 A. Yes.

12 Q. Spouses.

13 A. Yes.

14 Q. The only two spouses -- were y'all the
15 only two spouses there?

16 A. Well, Courtney was Al's spouse at the
17 time, but she is Air Force, as well.

18 Q. So she had it covered on both sides.
19 She was a spouse and --

20 A. She wasn't involved. She was just
21 there.

22 Q. Right. But I mean, she was also a
23 spouse, but she was also in the Air Force?

24 A. Yes.

25 Q. And she is married to an Air Force

1 person?

2 A. Yes.

3 Q. So the only two actual non-Air Force --
4 or three, would be Soukup, you and Kayla Soukup?

5 A. Correct.

6 Q. Did Kayla drink at all that night,
7 alcohol?

8 A. I'm not sure.

9 Q. What about Chris, did you see him drink
10 at all?

11 A. Not that I can -- no, I wasn't really
12 around, so, no.

13 Q. What time did y'all arrive at the Hard
14 Rock?

15 A. I don't know for sure.

16 Q. Did Jason have any beverages, alcoholic
17 beverages, at your house?

18 A. I wasn't there. I don't know.

19 Q. Do you keep beer or any liquor at your
20 house or did you at that time?

21 A. Sometimes, yeah.

22 Q. As we sit here now, you don't know if
23 you had any that night that was available, beer or
24 liquor?

25 A. No, I don't.

1 Q. Did he have any in the vehicle when you
2 went?

3 A. No.

4 Q. Did he drive, or did you drive?

5 A. I drove.

6 Q. Was that the plan, that you were going
7 to drive?

8 A. Yes. And then, we were going to take a
9 cab home if I drove -- if I ended up drinking.

10 Q. Y'all had already talked about that?

11 A. Yes.

12 Q. Why did y'all do that?

13 A. We just always have a plan if we're
14 going out just in case.

15 Q. Had that ever been an issue before that
16 you needed a cab?

17 A. No.

18 Q. Either one of you?

19 A. No.

20 Q. In your experience with him, those two
21 years -- was it two years before this incident,
22 you were married June of '10, June of '11, so two
23 and a half years, roughly. In those two and a
24 half years, did you and Jason ever have to call a
25 cab to get home from any place where you were

1 drinking alcohol?

2 A. No.

3 Q. Did either of you ever have to ask for
4 another person to get you home in any way, shape
5 or form because you were not able to drive because
6 of the consumption of alcohol?

7 A. No.

8 Q. Do you recall the timing of the two
9 drinks that you had, when you had those?

10 A. I know I had one when we first arrived.
11 I don't know when I got the other one.

12 Q. Can you describe the type of cup that
13 it was in?

14 A. A short glass one.

15 Q. Like a rock glass? Does that mean
16 anything to you?

17 A. No.

18 Q. A short drink glass?

19 A. Yes.

20 Q. It's literally made of glass, probably
21 an eight or 12-ounce glass?

22 A. I wouldn't say 12.

23 Q. And eight-ounce size?

24 A. Maybe, yeah.

25 Q. And you had two of those over the

1 course of the night?

2 A. Yes.

3 Q. No other alcohol?

4 A. No.

5 Q. You didn't consume any medications that
6 night?

7 A. No.

8 Q. Did you take any medicines before this
9 incident occurred? Did you take any form of
10 aspirin before this incident?

11 A. No.

12 Q. When you woke up the next day, did you
13 take any form of aspirin or Motrin or ibuprofen or
14 anything like that when you woke up tired the next
15 day?

16 A. No.

17 Q. Not at all?

18 A. I don't take -- I have to have a huge
19 migraine that won't go away for me to take -- I
20 don't like taking medication at all.

21 Q. Not any kind of medication?

22 A. No. I take prenatal vitamins. That's
23 it.

24 Q. Now?

25 A. I have a prescription. I haven't been

1 taking them lately. But I took them after the
2 incident. That's the only thing I ever kept up
3 with.

4 Q. Why did you start taking those after
5 the incident?

6 A. My -- Judith, my nurse practitioner,
7 she told me that I should take them if I wasn't
8 like because of everything that was going on with
9 my miscarriage and because I didn't -- like, we
10 weren't trying, but we weren't avoiding it. So
11 she said it's a vitamin that doesn't hurt you, so
12 you can take it.

13 Q. Had you at some point, at any point
14 since this incident, had you and Jason made a
15 conscious decision to try and get pregnant?

16 A. No.

17 Q. You knew he had a deployment coming up.
18 Is that harder on a family when a husband is
19 deployed and the wife is pregnant?

20 A. Absolutely.

21 Q. So it wasn't in your immediate plans to
22 try to have a child then or afterwards, right?

23 A. No. I would not want to go through
24 that without him here.

25 Q. As we sit here today, are y'all trying

1 now to have a child?

2 A. No.

3 Q. Is he also potentially up for
4 deployment if he passes his physical and
5 everything, could he be deployed again?

6 A. Yes, but not for a year.

7 Q. Right. And it takes nine months to get
8 through a pregnancy, right?

9 A. Yes.

10 Q. And that's not the only hard part,
11 right?

12 A. Correct.

13 Q. You've been around babies before. You
14 know there is a lot more to it after that, right?

15 A. Oh, yeah.

16 Q. Way longer than nine months. I think
17 it's about 35 years on average.

18 So your plans are not to have a child
19 at any point still?

20 A. Correct.

21 Q. And they weren't as of the time of this
22 incident?

23 A. Correct.

24 Q. Other than the one day that you didn't
25 go to work, did you lose any other wages?

1 A. No.

2 Q. And you intentionally quit your job
3 because of your concerns about the safety of that
4 job?

5 A. Yes.

6 Q. The Chevron job?

7 A. Yes.

8 Q. No other reason?

9 A. No other reason. I loved the job. I
10 just couldn't work there alone at night.

11 Q. And this incident didn't affect your
12 ability to work afterwards at all?

13 A. No.

14 Q. Have you ever been to the Hard Rock
15 Casino before?

16 A. Yes.

17 Q. How many times?

18 A. I don't know.

19 Q. Lots of times?

20 A. I wouldn't say lots. Maybe a handful.

21 Q. Five or six times?

22 A. I don't know because I would be
23 guessing.

24 Q. You were an adult on the night of this
25 incident?

1 A. Yes.

2 Q. And Jason was also?

3 A. Yes.

4 Q. And you were always an adult when you
5 went to the Hard Rock, correct?

6 A. Yes.

7 Q. Did you ever see any fights or any
8 issues at the Hard Rock similar to the incident
9 like the one that happened the night of this
10 incident?

11 A. No.

12 Q. Had you ever been inside The Ledge
13 before, that actual lounge?

14 A. No.

15 Q. Do you know if Jason had?

16 A. No, he hadn't.

17 Q. You were with him every time he went?

18 A. Yes.

19 Q. Y'all went together?

20 A. Yes.

21 Q. When y'all went out at night, you
22 always went out together?

23 A. Yes.

24 (A short break was taken.)

25 MR. STEWART:

1 Q. Alyssa, going back to what we were
2 talking about, you do -- you went to the emergency
3 room after this incident?

4 A. Yes.

5 Q. Aside from the pregnancy symptoms or
6 miscarriage symptoms that you described, did you
7 have any physical injury to your body?

8 A. No.

9 Q. Did you ever seek medical treatment for
10 any physical injury?

11 A. No.

12 Q. So you had no injury to your abdomen,
13 your lower body?

14 A. No.

15 Q. Did you have any marks or bruises on
16 your body anywhere after this incident?

17 A. No.

18 Q. To your knowledge, since -- how long
19 did you know Jason before y'all became boyfriend
20 and girlfriend?

21 A. Ten months.

22 Q. From that point until the date of this
23 incident, did Jason ever get in any sort of fights
24 or arguments with anybody?

25 A. No.

1 Q. None at all?

2 A. No.

3 Q. Did he ever tell you about the fact
4 that he had ever gotten into fights or anything
5 like that previous to that?

6 A. No.

7 Q. At any point since this incident has he
8 gotten into any fights or arguments with anyone?

9 A. No.

10 Q. Do you know if Jason ever had any
11 injury to his right wrist before this incident?

12 A. No.

13 Q. Or shoulder?

14 A. No.

15 Q. Not that your know of?

16 A. Right.

17 Q. You and Jason go out together every
18 night, right? I mean, when y'all go out, y'all go
19 out together?

20 A. Yes.

21 Q. Have y'all ever been out to another
22 casino?

23 A. I have once for an Everclear concert
24 with my friend Sheila.

25 Q. Did you speak with anyone at Hard Rock

1 while you were there about this incident?

2 A. No.

3 Q. Have you ever?

4 A. No.

5 Q. To your knowledge, has Jason had any
6 conversations with anyone at the Hard Rock about
7 the fact that this incident happened or occurred?

8 A. No.

9 Q. Have you ever spoken to any police
10 officers about this incident since it occurred?

11 A. No.

12 Q. Have you been to any other bar or
13 lounge after this incident at any time?

14 A. Yes.

15 Q. Where?

16 A. Traveler's in Michigan.

17 Q. What kind of bar is that?

18 A. Like a -- I don't know. It has like
19 food and drinks. Bar and grill, Traveler's Bar
20 and Grill.

21 Q. Before this incident, did you and Jason
22 ever go to a bar or a lounge?

23 A. Yes.

24 Q. Where did y'all go?

25 A. The Pines in Cadillac, Michigan.

1 Q. What is that?

2 A. It's like a bowling alley on one side
3 and then a bar on the other.

4 Q. Did y'all ever go to any other bars or
5 clubs?

6 A. And then, the Twenties also in
7 Cadillac, Michigan. We went both places when we
8 went there.

9 Q. Did y'all go there on a regular basis
10 to either one of these places?

11 A. No.

12 Q. How many times did you go to these
13 places before this incident?

14 A. Once apiece for my 21st.

15 Q. Did either one of y'all ever have a
16 fake I.D.?

17 A. No.

18 Q. Have you ever seen a bar fight,
19 inside -- have you ever been in a bar when a fight
20 erupted?

21 A. Yes.

22 Q. Where was that?

23 A. In the Pines.

24 Q. How many times did you see that?

25 A. I don't know. I was a teenager.

1 Q. So together y'all went two times total.
2 But you've been in bars before?

3 A. Yes.

4 Q. Did you know if Jason --

5 A. Well, I would like -- I don't know
6 before he got with me, no.

7 Q. He never said, I used to hang out at
8 the Pines or someplace like that?

9 A. No. Jason is a home body.

10 Q. You never saw him out in bars or
11 anything?

12 A. No. I never knew Jason before I
13 started working at the theater. But he is a home
14 body. But when I would go to the Pines, it wasn't
15 at the bar. Like, I was a teenager. I couldn't
16 even drink, like when I would see the bar fights,
17 like high school stuff.

18 Q. But you saw fights?

19 A. Yes.

20 Q. Tell us, if you would, we started
21 talking about going to the Hard Rock. You don't
22 remember exactly what time y'all got there? You
23 and Jason were together, right?

24 A. Uh-huh.

25 Q. Do you recall, did both of you go

1 straight up to The Ledge when you arrived?

2 A. Yes.

3 Q. Do you remember where you went inside
4 The Ledge?

5 A. I don't understand the question.

6 Q. Inside The Ledge bar, there is a couple
7 of different rooms or areas. Do you recall where
8 you went inside The Ledge lounge itself?

9 A. Just up the stairs and like right
10 there. Like, there is a dance floor and the bar,
11 like, right in that area.

12 Q. Right. There is a dance floor area, a
13 bar area. Where did go to inside The Ledge?

14 A. I went more places than Jason. Jason
15 mostly stayed like -- even though it's technically
16 the bar area. But I danced, too.

17 Q. Did you dance with Jason?

18 A. No.

19 Q. Is he a dancer?

20 A. No.

21 Q. Who did you dance with?

22 A. Courtney and Kayla.

23 Q. Okay. Did you say Jason consumed any
24 alcohol that night?

25 A. Yes.

1 Q. What did you see him consume?

2 A. A beer and a shot.

3 Q. Do you know what that shot was?

4 A. I believe Jack Daniels. But no.

5 Q. Is that something he was accustomed to
6 drinking?

7 A. No. That's not usually what he drinks.

8 Q. Do you know, did somebody encourage him
9 to take that shot in the group?

10 A. Everyone took a shot with Miller.

11 Q. Who was the first person that said,
12 Hey, let's get shots?

13 A. Miller.

14 Q. Did he order the shots all around?

15 A. Yes.

16 Q. Did he pay for them?

17 A. Yes.

18 Q. Did anyone else purchase a drink, to
19 your knowledge, for Jason?

20 A. I don't know.

21 Q. The drinks, to your knowledge, that
22 were obtained that night were paid for, correct?

23 A. Yes.

24 Q. Do you know how they were purchased?

25 A. No.

1 Q. How did you purchase your two sex on
2 the whatever?

3 A. Miller bought me one, and I purchased
4 one myself.

5 Q. Sex on the what?

6 A. Beach.

7 Q. Beach. Did you pay with a debit card?

8 A. I don't remember.

9 Q. Do you have a debit card?

10 A. Yes.

11 Q. Does Jason have a debit card?

12 A. Yes.

13 Q. Do either one of y'all typically carry
14 cash, or do you use your debit cards?

15 A. I use my debit card. He carries cash
16 usually.

17 Q. Do y'all have two separate debit cards
18 or just one?

19 A. They're separate.

20 Q. Same -- two different accounts all
21 together?

22 A. Same account.

23 Q. Two cards, one account.

24 A. Yes.

25 Q. Where is your bank?

1 A. Bancorp South.

2 Q. Is that the local Bancorp South here on
3 the Coast?

4 A. Yes.

5 Q. Is there a particular branch that you
6 bank out of?

7 A. The one on Pass Road by Winn-Dixie.

8 Q. Which town; Biloxi or Gulfport?

9 A. I believe it's Biloxi, but I don't know
10 for sure.

11 Q. Is it close to Popps Ferry or close to
12 Cowan-Lorraine Road?

13 A. Popps Ferry.

14 Q. So you move around, you're dancing and
15 things. You leave Jason over by the bar area.

16 A. Yes. He was with Soukup over there.

17 Q. Was he with anyone else?

18 A. The rest of the guys.

19 Q. Do you know how many people were there
20 from the Air Force?

21 A. Besides the people I mentioned, no.

22 Q. Do you know how many, how big a group?
23 Not who, but how many?

24 A. No.

25 Q. Was it 15, 20 guys or more, or do you

1 know?

2 A. No.

3 Q. Do you know if it was multiple shifts
4 involved?

5 A. No.

6 Q. Do you have any recollection of what
7 time you became aware of any kind of problem
8 involving Jason?

9 A. Not the time, no.

10 Q. You did become aware of a problem with
11 Jason at some point?

12 A. Yes.

13 Q. What did you become aware of?

14 A. Soukup and him talking in the corner.

15 Q. Where were you when that occurred?

16 A. I was with Courtney and Al.

17 Q. And you saw the two of them talking,
18 you saw Chris and Jason talking?

19 A. Yeah, like they were in the corner. It
20 was Chris, Jason and, I think, Reimer.

21 Q. What was your understanding of what was
22 going on?

23 A. I didn't have an understanding.

24 Q. Do you have one now?

25 A. I don't know exactly what happened, no.

1 Q. What did you do in response to that?

2 A. I just walked over to see what was
3 going on.

4 Q. And at that point, where were you that
5 you walked from?

6 A. I believe the left side of the bar.

7 Q. When you say the left side of the bar,
8 you mean from the south essentially, from the
9 casino -- would the casino be at your back when
10 you're facing the bar, or would the casino be in
11 front of you when you're facing the bar?

12 A. I honestly don't remember.

13 Q. You said left. That's what I was
14 trying to figure out what you meant left.

15 A. Well, mostly -- I just know I was
16 either like where the door is, like, the bar is
17 like a circle. I was either here or on this side.
18 And, like, the stairs and door are here. So I
19 would come from either of those directions, so I
20 don't know.

21 Q. Show me again. You did a lot of stuff
22 there.

23 Where is the foyer entrance glass
24 doors? Show me that on your --

25 A. This is the door.

1 Q. Okay. Where is the casino?

2 A. Down here.

3 Q. Where is the bar?

4 A. Here.

5 Q. Where were you most of the night?

6 A. Here or here.

7 Q. Where is the dance floor?

8 A. Here.

9 Q. Where were Soukup and Jason?

10 A. Here.

11 Q. In the center, kind of -- by the end of
12 the bar?

13 A. Yeah, like in between the bar and the
14 dance floor.

15 Q. The casino end of the bar.

16 A. Yes, yes.

17 Q. But on the end of the bar?

18 A. Yes.

19 Q. All right. You went to this little
20 huddle?

21 A. Yes.

22 Q. Three guys?

23 A. Yes.

24 Q. What did you see at that point?

25 A. Soukup was holding Jason up against the

1 wall and talking to him.

2 Q. What was he saying to him?

3 A. I don't remember.

4 Q. Do you remember the gist of it?

5 A. No.

6 Q. Was he telling him to calm down?

7 A. I don't remember.

8 Q. No words at all?

9 A. No. I mostly just remember after.

10 Everything that happened after that.

11 Q. Do you remember anything Jason said
12 back?

13 A. No.

14 Q. Did you engage Jason physically at that
15 point?

16 A. No.

17 Q. Did you touch him?

18 A. I don't remember.

19 Q. What is the next thing you recall?

20 A. The security guards getting involved.

21 Q. Okay. Have you seen video of this
22 incident?

23 A. Yeah.

24 Q. Would you agree there is a lot of
25 things that go on before the security officers get

1 there from the time -- assuming that -- do you
2 know if -- how much time passed from the time of
3 that initial, when you approached these three
4 guys, your husband and -- Reimer, Reimer?

5 A. Reimer.

6 Q. -- Reimer, from that time until the
7 security officers got involved, do you have any
8 idea how much time passed?

9 A. No.

10 Q. Have you seen video that shows the
11 things that happened during that time?

12 A. After the -- like, a long time ago.

13 Q. You haven't seen it lately?

14 A. No.

15 Q. You didn't review any video before you
16 came in here today?

17 A. No.

18 Q. So you have absolutely no memory of
19 what happened from that point until the security
20 officers got involved with your husband?

21 A. No.

22 Q. You don't have any memory?

23 A. No.

24 Q. Is there any particular reason why? Do
25 you have any issues with your memory at all?

1 A. No.

2 Q. You don't take any medications since
3 this incident that affect your ability to
4 understand things, right?

5 A. Correct.

6 Q. Do you recall at any point intervening
7 physically to try to help Jason separate from some
8 other person?

9 A. When I first walked over, I'm pretty
10 sure I tried getting Soukup off Jason. I remember
11 that.

12 Q. Soukup was on Jason?

13 A. Like, when he was like having him in
14 the corner, I was trying to separate them.

15 Q. This was up against the wall, though.

16 A. Yes. This was all in that corner.

17 Q. Was that up against the glass wall to
18 the casino or up against the bar or what?

19 A. It's a solid wall. I don't think it's
20 glass.

21 Q. A solid wall near the end of the bar.

22 A. No, like by the door.

23 Q. On the door side?

24 A. Yeah. Like, the door is here. It's on
25 the wall, like that, connected to like where you

1 walked in.

2 Q. But if you were to look -- if you could
3 see through that wall, the casino would be behind
4 you?

5 A. Yes.

6 Q. So over in that area, Soukup had his
7 hand up on Jason's, what, chest?

8 A. Yes.

9 Q. Did he have his hand on Jason's throat?

10 A. I don't remember.

11 Q. Did you perceive what he was doing to
12 Jason to be something Jason was happy about?

13 A. No.

14 Q. It was unwelcomed contact from what you
15 could tell looking at it?

16 A. Yeah.

17 Q. Were there any curse words back and
18 forth between either one of them?4?

19 A. No.

20 Q. Did Jason ever say, Get your hands off
21 of me, or anything like that?

22 A. I don't remember.

23 Q. Did you hear Soukup curse?

24 A. No.

25 Q. Do you recall at any point physically

1 intervening and touching Jason and then him
2 falling down?

3 A. No.

4 Q. Have you ever seen video of you falling
5 down with Jason?

6 A. I don't remember what happens in the
7 video.

8 Q. As we sit here today, do you have any
9 memory of falling down inside The Ledge?

10 A. Yeah, but I don't know what happened
11 that led up to it.

12 Q. Do you know what point you fell down?
13 Was it right after this episode where you went to
14 respond to Soukup having him in unwelcomed
15 contact?

16 A. Yeah, it was during that.

17 Q. Did you push or touch Soukup?

18 A. I probably touched Soukup. Like, I
19 assume I touched Soukup's arm to try to --

20 Q. To try to pull him off Jason?

21 A. To see what was going on, yeah.

22 Q. Did you grab him and try to pull his
23 arm off?

24 A. I don't remember.

25 Q. Did you have any concern about getting

1 involved in a dispute between two grown men in the
2 military?

3 A. I didn't consider it a dispute.

4 Q. There was no dispute. It was
5 unwelcomed contact, though, right?

6 A. I don't know what led up to it.

7 Q. Something was going on that you saw and
8 you responded to, right?

9 A. Yeah.

10 Q. Enough to get your attention to bring
11 you, how far?

12 A. I don't understand the question.

13 Q. Did you come from all the way across
14 the room, or did you come from just a few people
15 away?

16 A. I don't remember.

17 Q. You reacted to whatever was going on.
18 You recall falling down, but you have no memory
19 whatsoever of how you came to fall down?

20 A. No.

21 Q. Were you in contact with Jason, to your
22 memory, when you fell?

23 A. What?

24 Q. Were you in contact with Jason when you
25 fell down?

1 A. I was on the left side of them, so,
2 yeah.

3 Q. He was holding on to you, you were
4 holding on to him and y'all both fell down?

5 A. I don't remember. I know I was on the
6 side of them.

7 Q. Did Jason become more and more
8 agitated?

9 MR. BELLINDER:

10 Object to the form.

11 A. I don't remember.

12 MR. STEWART:

13 Q. You don't remember at all?

14 A. Not really. Like, I don't really
15 remember what you're trying to question me about.
16 Like, to me, it all happened so fast. Like, the
17 most I recall is the security guard, and then me
18 getting arrested.

19 Q. So just to be fair to all the
20 defendants who are defending a lawsuit brought by
21 you and we have the opportunity to ask you
22 questions, from the time that you approached
23 Jason, you do recall falling down adjacent to or
24 in contact with your husband?

25 A. I remember seeing that on the video,

1 yeah.

2 Q. Do you independently recall that
3 occurring?

4 A. No.

5 Q. From that point forward, from the time
6 that you went over to respond to these guys, your
7 husband and two others, to a security guard
8 touched you, what is your next memory after that?

9 A. They were all talking in the corner.
10 And I walked over to see what was going on. And I
11 grabbed, like, Soukup's arm to like try to ask
12 them questions, but they were talking. And then,
13 like, the security guards got involved. Like, I
14 remember they were talking. The security guards
15 got involved. Like, that's what I remember.
16 Like, I don't remember what was being said or
17 anything.

18 Q. Do you remember anything from that
19 point? Did that happen in the same corner?

20 A. Yeah, like all that was in the same
21 corner, like when I walked over.

22 Q. Do you recall what the security people
23 said?

24 A. I believe they asked him what was going
25 on, and then like -- I don't really remember. I

1 just know one guy came over, and then they broke
2 it apart, I'm pretty sure. Then, it just went --
3 like, they grabbed Jason and put him on the floor.
4 And then, I got separated from Jason. Then I
5 walked over to see what was going on. And Jason
6 was just like, Get off me, and, like, What are you
7 doing. And I was just telling Jason to calm down.
8 And then I was crying. And then, I was like up
9 against the glass wall by the door because
10 everyone was like leaving. Like, the bar ended up
11 closing when all this is going on. They ended up
12 leaving. And a guy that I know from the Chevron
13 was talking to me in the corner.

14 Q. Who?

15 A. I don't know his name. I just know
16 him.

17 Q. Is he the person that picked you up
18 away from Jason when he was on the carpeted floor?

19 A. Yeah, yeah. He didn't know I was
20 involved, that I knew him. So he grabbed me and
21 was like, Come on. I was like, That's my husband.
22 I don't remember his name. I just know of him
23 through there. And then, he was talking to me in
24 the corner, and I was just crying. And I just
25 wanted them to get off Jason and Jason to calm

1 down so that the situation could just calm down.
2 I was just talking to Jason and -- from there,
3 it's kind of a little hazy because I remember a
4 girl security guard was telling me not to get
5 involved and she was like grabbing my arm. And I
6 was like, I'm not trying to get involved, I'm just
7 trying to get him to calm down.

8 And then, we were walked down, like --
9 there was a bunch of people around, so I didn't
10 see everything that was going on with Jason
11 either, like, because I know he got tased, but I
12 didn't see that. Like, I don't recall that. I
13 know when we walked downstairs, like Jason was
14 brought down too. And then I was walked -- like,
15 the security guards are talking to me the whole
16 time, like, you can't get involved. Like, don't
17 get involved. I was, like, I'm not getting
18 involved, I just want to make sure he is okay.
19 Like, because he obviously is hurt, like he is
20 telling them they're hurting him.

21 And then, she walked me over. And the
22 cop, I don't know his name. The one who is being
23 defended here. He asked me who I was, and I said,
24 Jason's wife. And he said, Arrest her. And then
25 from there I got arrested. And then they were

1 questioning me the whole time.

2 Q. That's a lot of facts. It went from
3 not much to a lot.

4 A. Yes. That's the part I remember.

5 Q. Right. Okay. I was trying to develop
6 the facts inside The Ledge.

7 Is there anything else from inside The
8 Ledge that you recall that you haven't told us
9 already?

10 A. No.

11 Q. Do you ever recall diving down onto
12 Jason and trying to control his arms or anything?

13 MR. BELLINDER:

14 Object to the form.

15 A. When the security guards had him, I
16 tried like getting the security guards off of him.

17 MR. STEWART:

18 Q. Why?

19 A. Because they were hurting him.

20 Q. Inside The Ledge?

21 A. Yes.

22 Q. You didn't dive down for some other
23 reason?

24 A. Not that I remember, no.

25 Q. You don't remember that? You don't

1 remember getting punched in the face in that
2 process by your husband, though?

3 A. I didn't get punched in the face.

4 Q. It didn't happen?

5 A. No.

6 Q. And you didn't get struck before that
7 in the exchange between Soukup and Jason at all?

8 A. No.

9 Q. Did you ever grab your face and hold it
10 and have Kayla Soukup come over and hug you for
11 some reason?

12 A. Not that I remember, no.

13 Q. It didn't happen?

14 A. Not that I remember, no.

15 Q. Did you ever run out of The Ledge to
16 the foyer with Kayla Soukup?

17 A. Not that I remember, no.

18 Q. At any point during the thing that
19 happened inside The Ledge, did you go out and ask
20 for security or find security and say, Would you
21 please help Jason?

22 A. No.

23 Q. Part of this lawsuit involves
24 allegations that there was an Airman Dorack
25 involved in this somehow. What's your knowledge

1 of that?

2 A. That him and Jason were going to get in
3 a fight. But I wasn't around for that. But
4 that's what Soukup was telling me.

5 Q. After you intervened or --

6 A. No, this was before.

7 Q. He told you that before --

8 A. Yes.

9 Q. When did he tell you that?

10 A. When we were in The Ledge, like, by the
11 bar.

12 Q. Before that when you went over and
13 responded to Soukup pushing him against a wall?

14 A. That was before that, yeah.

15 Q. Exactly what did he tell you about
16 that?

17 A. He just said that they were getting in
18 a fight, like that there was an issue. And they
19 were trying to keep Jason and that guy away from
20 each other. And he was on the other side of the
21 bar.

22 Q. Do you know what the issue was?

23 A. I believe something about money, but I
24 don't know for sure.

25 Q. Do you know if Jason had any prior

1 knowledge of Dorack, Airman Dorack?

2 A. Just through work but not personally,
3 no.

4 Q. Do you have any idea what the issue
5 with money between two people who don't know each
6 other would be?

7 A. No.

8 Q. Was it about who was paying for
9 something there?

10 A. I think Dorack's girlfriend told Jason
11 to put his cash away or something, and it went
12 from there. But I wasn't around, so that's just
13 hearsay.

14 Q. Do you know who Dorak's girlfriend is?

15 A. No.

16 Q. Did you ever see any security officer
17 from the Hard Rock strike your husband?

18 A. No.

19 Q. Did you ever see your husband strike
20 any security employee from the Hard Rock?

21 A. No.

22 Q. Did your ever see a guy -- can you
23 describe the security officers who got involved?
24 You mentioned a female.

25 A. Yeah. She was female with Brunette

1 hair.

2 Q. Do you recall any others?

3 A. And then, there was a big bald guy, but
4 those are the only two I remember.

5 Q. Do you have any recollection of how
6 many security people responded to this?

7 A. No.

8 Q. Do you recall ever seeing any employee
9 of Hard Rock being struck by your husband at any
10 point?

11 A. No. I know he was flailing, but I
12 don't recall seeing anyone get struck, no.

13 Q. Did you ever see anybody get their
14 glasses knocked off because they got struck by
15 your husband?

16 A. No.

17 Q. Did you ever hear your husband scream
18 or yell during the course of this at all?

19 A. Yes.

20 Q. Did you hear him curse?

21 A. Yes.

22 Q. Did he use F words?

23 A. Yes.

24 Q. Any other words?

25 A. I recall the F word.

1 Q. Do you know what a bayonet is?

2 A. No.

3 Q. It's a big knife. It goes on the end
4 of a rifle. Do you know what I'm talking about?
5 They connect them on the end of a rifle.

6 A. Okay.

7 Q. Have you ever seen Jason have one of
8 those?

9 A. No.

10 Q. Do you know if that's something that
11 was available to him in the military?

12 A. No.

13 Q. You don't know?

14 A. It's not available. That's not one of
15 the weapons he gets.

16 Q. Do you know the weapons that he has,
17 all of the weapons?

18 A. No.

19 Q. Did you ever hear Jason tell any of the
20 security personnel or police officers that if he
21 had a bayonet he would cut their F'ing head off?

22 A. No.

23 Q. You never heard that happen?

24 A. No.

25 Q. To your observation, the security

1 personnel inside The Ledge, were they just trying
2 to grab Jason's arms?

3 MR. BELLINDER:

4 Object to the form.

5 A. They were trying -- they were retaining
6 him on the ground.

7 MR. STEWART:

8 Q. Were they on top of him, on top of his
9 body?

10 A. Yes.

11 Q. Or were they standing up just trying to
12 grab his arms to control him?

13 A. They were over him. I don't know.

14 Q. Was anyone else besides -- how many
15 security officers were over him as you described?

16 A. I don't remember exactly.

17 Q. Were there any other people trying to
18 control your husband inside The Ledge that night?

19 A. I don't know exactly what you're
20 referring to.

21 Q. Besides security personnel, did anyone
22 else try to physically control your husband on the
23 night of this incident?

24 A. Not that I remember, no.

25 Q. So no other --

1 A. Well, the cops but --

2 Q. What about Air Force personnel?

3 A. Besides Soukup, no.

4 Q. Did Soukup get mad? Was he agitated?

5 MR. BELLINDER:

6 Object to the form.

7 A. I don't know what Soukup was feeling.

8 MR. STEWART:

9 Q. Did you observe him to be agitated; did
10 he say or his mannerisms lead you to believe he
11 was agitated?

12 A. No.

13 Q. Do you recall Sergeant Reimer getting
14 Dorack and trying to control your husband at any
15 point?

16 A. No. He was just by them.

17 Q. He never touched your husband, to your
18 memory?

19 A. Not to my memory, no.

20 Q. Did anybody else, nonsecurity,
21 nonpolice, physically engage with your husband, to
22 your memory?

23 A. No.

24 Q. At what point did you believe, come to
25 believe that someone at Hard Rock was hurting your

1 husband?

2 A. When he was on the floor.

3 Q. Which floor?

4 A. Of The Ledge.

5 Q. What exactly did you see that leads you
6 to believe that he was being hurt?

7 A. They were cranking on his arm, and he
8 kept saying that they were hurting him, to let him
9 fucking go.

10 Q. They were what on his arm?

11 A. Like, cranking his arm, trying to
12 contain him.

13 Q. Cranking his arm back?

14 A. Yeah, like pulling it back.

15 Q. Moving his arm back?

16 A. Yeah. But, like, roughly.

17 Q. They were doing that down on the ground
18 with him?

19 A. Yeah.

20 Q. Not standing up and trying to just grab
21 and control his arms?

22 A. He ended up on the floor. Like, I know
23 they were trying to contain him, but he ended up
24 on the floor right, like right around the corner
25 right after they got Dorack.

1 Q. I'm sorry. I missed from the stapling.
2 Right around what? I didn't hear the answer.

3 A. Like, when they got Dorack, they came
4 and tried containing him. And then, he went on
5 the floor right, like around the corner or like by
6 the door, right. It was like right by the door.

7 Q. Other than pulling his arm back, did
8 you see Hard Rock people do anything else that you
9 believe might have hurt your husband?

10 A. No.

11 Q. How many times did you see them pull
12 his arm back?

13 A. They were pulling back the whole time
14 until they got a hold on him, and they were just
15 like holding him.

16 Q. On the floor, in The Ledge?

17 A. Yes.

18 Q. Did you see anyone from Hard Rock that
19 you think tried to hurt your husband or could hurt
20 your husband -- not try but could have at any
21 point anywhere else at the Hard Rock Casino?

22 MR. BELLINDER:

23 Object to the form.

24 A. I don't understand the question.

25 MR. STEWART:

1 Q. You mentioned the one episode where you
2 saw Hard Rock security trying to pull his arm
3 back.

4 A. Yes.

5 Q. Which arm?

6 A. His right arm.

7 Q. And you believe that could hurt him?

8 A. Yes.

9 Q. Inside The Ledge?

10 A. Yes.

11 Q. At any other location, did you see
12 anyone at the Hard Rock that you think could have
13 hurt your husband, any Hard Rock employee?

14 A. No.

15 Q. Had you ever seen your husband react
16 violently when he drank?

17 A. No.

18 Q. Do you know if he was taking any
19 medicine at that time?

20 A. No.

21 Q. Did you ever bring charges against
22 anyone, yourself, from what happened at the Hard
23 Rock?

24 A. No.

25 Q. Did you or did your husband ever bring

1 charges against Airman Dorack?

2 A. No.

3 Q. In your mind, did Airman Dorack do
4 anything that warranted charges?

5 MR. BELLINDER:

6 Object to form.

7 A. I don't know anything that went on with
8 that, so I don't know.

9 MR. STEWART:

10 Q. It's not something you and Jason talked
11 about, hey, maybe we should go file charges
12 against him?

13 A. No. There were no altercations, so,
14 no.

15 Q. No physical contact that you're aware
16 of?

17 A. Right.

18 Q. Do you know if Airman Dorack was ever
19 subject to any discipline at Keesler?

20 A. I don't know.

21 Q. Just so we are clear, you don't recall
22 falling, other than you've seen video of it, you
23 don't have any memory of falling inside The Ledge
24 at any point?

25 A. Like, once you mentioned it, I know I

1 saw it on the video. Like, I remember Jason fell
2 on me. But I don't know what led to it or
3 anything like that.

4 Q. You don't have any memory of why you
5 fell?

6 A. No.

7 Q. Did anyone from the military ever ask
8 you if Jason struck you?

9 A. No.

10 Q. You mentioned that you do -- the only
11 time you would take aspirin or Motrin or Ibuprofen
12 would be if you had a really bad migraine or
13 something?

14 A. Yeah, that wouldn't go way for like
15 hours.

16 Q. How often do you have migraines?

17 A. Maybe once or twice a year.

18 Q. Did you have any that you recall in the
19 month of November or December?

20 A. No.

21 Q. Have you ever declared bankruptcy?

22 A. No.

23 Q. Have you and Jason ever gone on any
24 trips or vacations since this incident?

25 A. Home, yes.

1 Q. Home to Leroy?

2 A. Yes, Michigan. Yes.

3 Q. I'm sure I'm saying that Southern. How
4 do you say it?

5 A. They call it Leroy, but I call it
6 Leroy.

7 Q. Do you know if Jason has been
8 intoxicated anytime since this incident?

9 A. Yes.

10 Q. How many times?

11 A. Holidays, like his birthday.

12 Q. How much does it take for him to get
13 intoxicated?

14 A. A few beers.

15 Q. Six beers?

16 A. Probably like four.

17 Q. Does he continue after that?

18 A. No.

19 Q. You've never had to say, Hey, Jason,
20 that's enough?

21 A. No.

22 Q. Do you recall any employee of the Hard
23 Rock saying anything that you consider
24 inappropriate?

25 A. No.

1 Q. On the night of this incident, I mean.

2 A. No.

3 Q. You never heard any of them curse or
4 get angry or anything?

5 A. No.

6 Q. As we sit here today, do you have any
7 knowledge of how far along you were in your
8 pregnancy when you miscarried?

9 A. Just by what they guessed, like Judith
10 guessed.

11 Q. Approximately Thanksgiving would have
12 been the beginning of the pregnancy?

13 A. Yes.

14 Q. No one else, no other physician,
15 doctor, told you that?

16 A. No. There was no way to know since I
17 was already miscarrying.

18 Q. To your knowledge, has Jason ever had
19 any mental health treatment before this incident?

20 A. No.

21 Q. How about you?

22 A. No.

23 Q. Since, either one of you?

24 A. No.

25 Q. Can you quantify how much medical

1 expense you contend that you had to pay as a
2 result of this incident?

3 MR. BELLINDER:

4 Object to the form.

5 MR. STEWART:

6 Q. Do you know?

7 A. No.

8 Q. The only medical treatment you saw was
9 the ER.

10 A. For me, yeah.

11 Q. For you. I'm talking about you.

12 A. Yes.

13 Q. One ER visit?

14 A. One ER visit, blood test and then the
15 family visit with Judith.

16 Q. So the one nurse practitioner visit.

17 A. Yes.

18 Q. You went in for blood tests after the
19 ER, and then the ER visit.

20 A. Yes.

21 Q. No other trips or vacations since this
22 incident, besides the trip to Leroy, we'll call
23 it?

24 A. I have been to San Antonio for my
25 brother's basic training graduation.

1 Q. When was that?

2 A. June or July of last year.

3 Q. Your brother is in the military now?

4 A. Yes. He is Air Force, as well.

5 Q. Have you ever been Dorack in a lawsuit
6 before?

7 A. With my car accident, yes.

8 Q. That's where the car flipped and your
9 arm got caught out of the sunroof?

10 A. Correct.

11 Q. Do you have scars from that still?

12 A. Yes.

13 Q. Extensive scars on your left arm?

14 A. Yes.

15 Q. All the way up your left arm to your --

16 A. Yes, my shoulder.

17 Q. Do you have any continuing problems
18 because of that?

19 A. Shooting pains from nerves, but no.

20 Q. Do you ever take any medications for
21 that?

22 A. No.

23 Q. When is the last time you took
24 medication for that, for any pain related to your
25 left arm?

1 A. I didn't even take pain when I did
2 surgery and stuff unless it was prescribed in the
3 hospital.

4 Q. Do you treat with any physician for
5 that at all?

6 A. No. It's all taken care of now.

7 Q. When is the last time you saw a doctor
8 with regard to your left arm?

9 A. Six years.

10 Q. And I don't mean to be nosy, but there
11 is something written on your shoulder.

12 A. Yes.

13 Q. Is that a tattoo?

14 A. Yes.

15 Q. What does it say?

16 A. Every storm runs out of rain.

17 Q. Say it again.

18 A. Every storm runs out of rain.

19 Q. Have you taken any medications since
20 this incident, related to this incident at all?

21 A. No.

22 Q. Did you ever smoke?

23 A. No.

24 Q. Jason ever smoke?

25 A. No.

1 Q. Anybody in his family smoke?

2 A. Yes.

3 Q. So when you lived at his parents'
4 house, they smoked, his parents?

5 A. Yes.

6 Q. Has any physician ever told you that
7 this incident caused you to have a miscarriage?

8 A. Will you repeat the question?

9 Q. Has any doctor or nurse practitioner,
10 medical professional, ever told you that this
11 incident caused you to have a miscarriage?

12 A. They said it could have been a number
13 of things.

14 Q. What were the different things?

15 A. Stress, is the main one I remember. I
16 don't remember exactly what she said.

17 Q. She was who?

18 A. Judith.

19 Q. Did any other person, physician, nurse
20 practitioner, medical professional speculate as to
21 why this could have happened, this miscarriage?

22 A. No.

23 Q. Do you have any knowledge of why it
24 occurred?

25 A. No.

1 Q. Was there any physical impact or injury
2 to you that you think caused this to occur on the
3 night of this incident?

4 A. No.

5 Q. Where did you fill your medications?

6 A. My prescriptions at Keesler pharmacy.

7 Q. You don't use Eckerd Drugs or CVS?

8 A. No.

9 Q. Just give me a second. I'm going to
10 flip through my notes here. I may be done.

11 Have you ever had any sort of head
12 injury?

13 A. No.

14 Q. No condition in your head that would
15 affect your ability to remember things?

16 A. No.

17 Q. Since this injury occurred, has Jason
18 ever had a good recollection of the facts of that
19 night?

20 A. No.

21 Q. Was Jason wearing underwear on the
22 night of this incident?

23 A. I would assume, yes. I don't know.

24 Q. Does he ever wear jeans without
25 underwear?

1 A. No.

2 Q. What is that commando; is that what
3 that's called?

4 A. Yes.

5 Q. Does he ever sag?

6 A. No.

7 Q. Is that a word that means something to
8 you?

9 A. Yeah, like you wear your jeans down
10 low, like you're ghetto kind of.

11 Q. He wasn't sagging on the night of this
12 incident?

13 A. No.

14 Q. At any point during the course of this
15 night, did you request that Jason have a
16 wheelchair brought to him?

17 A. Not me, no.

18 Q. Do you know if someone else did?

19 A. Yes.

20 Q. Who?

21 A. I believe a Hard Rock security guard,
22 but I'm not completely sure. I just know someone
23 asked and someone brought it to him when I was
24 already contained.

25 Q. Your best recollection today is that

1 someone from Hard Rock brought that out to deal
2 with him?

3 A. Yes.

4 Q. Did you hear any exchange between Hard
5 Rock security and Chris Soukup?

6 A. No.

7 Q. Anything that was said to him or from
8 him to Hard Rock people?

9 A. No.

10 Q. Anything any Hard Rock employee said to
11 Christopher?

12 A. No.

13 MR. STEWART:

14 That's it for me.

15 (A short break was taken.)

16 EXAMINATION

17 BY MS. STEEL:

18 Q. When did you first come to Biloxi?

19 A. September of 2011.

20 Q. Okay. And is that -- that's the first
21 time you came after marrying your husband?

22 A. Correct.

23 Q. All right. And how long did you stay
24 in Biloxi?

25 A. I guess I don't know how to answer the

1 question because I've lived in Mississippi the
2 entire time minus when I went home for his
3 deployment. But we lived in Biloxi until --

4 Q. Are you saying you retained a residence
5 here?

6 A. Yes.

7 Q. Even though you left?

8 A. Well, no. Like, okay. So I moved here
9 in September 2011. I moved back to Michigan in
10 August of 2013. I lived in Michigan until January
11 of 2014. And that's when I retained a residence
12 in Gulfport.

13 Q. Okay. Back to Gulfport.

14 A. Yes. And now I'm here.

15 Q. But you're not living in Gulfport right
16 now?

17 A. Yes, I am.

18 Q. Oh, okay.

19 A. Like, so I went to Biloxi to
20 Mississippi for those four months and then to
21 Gulfport.

22 Q. Okay. I'm sorry. I thought you lived
23 at 121 O'Donnell Drive.

24 A. Yes. That's a Gulfport address. Oh,
25 okay. I'm confused. I'm sorry. The first one is

1 Gulfport. The second one is Biloxi. Sorry.

2 Q. That's okay. So the first time you
3 were here between 9/11 --

4 A. That was technically Gulfport, not
5 Biloxi.

6 Q. And August the 13th, you lived at 828
7 Oakley, Apartment 9?

8 A. Yes, which was the Gulfport residence.
9 Okay. So I just confused the two.

10 Q. And then, in August of '13, you went to
11 Michigan. And during that time, Jason deployed to
12 Saudi Arabia.

13 A. Yes.

14 Q. And how long was he in Saudi Arabia?

15 A. Four months.

16 Q. So at the end of the four-month period,
17 where did he return to?

18 A. Biloxi.

19 Q. But you did not?

20 A. No. I was still in Michigan because I
21 had a job, so I had to put in my -- because he
22 came home two months early. So I had a job, and I
23 was going to Colorado for Christmas to see my dad.

24 Q. All right. So after that was over with
25 you came back to the Coast?

1 A. Yes.

2 Q. And why did he leave early from Saudi
3 Arabia?

4 A. They had too many people deployed, and
5 he just ended up being one of the 40 that came
6 home.

7 Q. You testified you have a brother.

8 A. Yes.

9 Q. What's his name?

10 A. Alex Bobon.

11 Q. And he is in the Air Force?

12 A. Yes.

13 Q. In Texas?

14 A. No. He is in Korea.

15 Q. Do you have any other brothers or
16 sisters?

17 A. I have one brother that is deceased,
18 and one sister who is living in Michigan.

19 Q. The brother who is deceased, that is
20 Jeffrey?

21 A. Jeffrey Bobon, yes.

22 Q. Now, when did Jeffrey die?

23 A. December 9th of 2011.

24 Q. Why did he pass away?

25 A. Car accident.

1 Q. Where was that car accident?

2 A. El Paso, Texas.

3 Q. I'm not trying to get you upset.

4 A. I know. I know.

5 Q. And if you need a break -- okay. Is
6 his death -- obviously his death is still
7 upsetting to you.

8 A. Yes.

9 Q. Would you call his death a stressful
10 event in your life?

11 A. Yes.

12 Q. You testified earlier that you started
13 bleeding on 12/8/11. Now, do you have notes of
14 that?

15 A. No.

16 Q. How do you know that you began bleeding
17 on December the 8th?

18 A. I remember that I was already on my
19 period. Like, I remember I started the night
20 before just because everything that happened.
21 Like, I remember it started the day before.
22 Didn't think anything of it. And my brother
23 passed away. So that's how I know.

24 Q. You couldn't be a day off in your
25 calculation?

1 A. No.

2 Q. Now, you have professed, have you not,
3 during this deposition that there has been a lot
4 of, you know, I don't remember?

5 A. Yes.

6 Q. But this, you're telling us, is the
7 same time frame you do remember?

8 A. Yes, because I remember -- yes, I
9 remember correctly.

10 Q. Do you have a calendar or a journal or
11 anything that you would write notes about this
12 incident or just your daily life activities in?

13 A. No.

14 Q. Did you bring any documents here today?

15 A. No.

16 Q. What did you review to prepare for the
17 deposition?

18 A. Nothing.

19 Q. You testified that you lost one day of
20 work at your job because of this incident.

21 A. Yes.

22 Q. Correct? And that was at Chevron?

23 A. Yes.

24 Q. How much did you make in a day, and
25 what were your hours of work?

1 A. I worked 3:00 to close, and I made
2 \$7.40, I believe.

3 Q. An hour?

4 A. Yes.

5 Q. That's gross, of course?

6 A. Yes, like \$7.40 an hour.

7 Q. And then taxes were taken out.

8 A. Yes.

9 Q. Correct?

10 A. Well, they would have been, yes.

11 Q. And certain deductions?

12 A. Yes.

13 Q. Do you know how much you would earn,
14 either gross or net, in a day's time?

15 A. No.

16 Q. Do you have any pay stubs from Chevron?

17 A. I don't know.

18 Q. Will you look for that and if you have
19 one give it to your attorney?

20 A. Yes.

21 MS. STEEL:

22 And we ask that that be produced if she
23 has it.

24 Q. \$7.40 an hour. And you worked from
25 3:00 to close. Now, when was close?

1 A. On Sunday it would have been 9:00 p.m.

2 Q. Sunday. Why are you saying Sunday? Is
3 that the day you took off?

4 A. I guess so. I think it was a Sunday,
5 so I don't know. If it would have been a
6 Saturday, it would have been 10:00. But I
7 don't -- I think we went out on a Saturday night.
8 That's why I'm saying that.

9 Q. So my question is when did this
10 incident happen?

11 A. Now, I can't think of the date but I --

12 Q. You think it was on a Saturday?

13 A. Yes, I think so.

14 Q. And you think if you missed work, you
15 missed work the very next day?

16 A. I did miss work the very next day.

17 Q. And that's the only time you missed
18 work because of this incident?

19 A. Yes. I called out.

20 Q. On November the 27th -- and that is the
21 day of this incident -- you were not incarcerated.

22 A. I went to the drunk tank.

23 Q. How long did you stay in the drunk
24 tank?

25 A. Four hours.

1 Q. Four hours. Weren't you allowed to
2 leave with Kayla Soukup?

3 A. Yes.

4 Q. Did they give you a recognizance bond?

5 A. What is --

6 Q. Or a bond? Are you familiar with that
7 terminology?

8 A. No.

9 Q. Did you have to post a bond to get out
10 of jail?

11 A. No.

12 Q. You did for Jason, didn't you?

13 A. He posted his own, yes.

14 Q. But you didn't have to do that?

15 A. No.

16 Q. But you're saying the police held you
17 for four hours?

18 A. Yes.

19 Q. Was Kayla Soukup not there at the
20 Biloxi Police Department when you were there?

21 A. Not being held, no.

22 Q. Are you saying she had to wait for four
23 hours to take you?

24 A. Yes.

25 Q. Where did you go after she took you,

1 after she picked you up from the police station?

2 A. To her and Chris Soukup's house. Well,
3 first, we went to the jail. Then I stayed because
4 I couldn't bail Jason out until the morning.

5 Q. So you stayed at her house?

6 A. Yes.

7 Q. When you left the police department,
8 were you with Kayla and Chris Soukup or just
9 Kayla?

10 A. Chris and Kayla, I think, because we --
11 yeah, she got us both. Yes. She got us both, and
12 then we dropped Chris off and then we went to jail
13 because Chris wasn't with us when we went to the
14 jail to try to bail Jason out.

15 Q. But he was already released from the
16 Biloxi Police Department?

17 A. Yes. We got released at the same time.

18 Q. And why do you say it was four hours?

19 A. Because they told us they were holding
20 us for four hours because that's what they do in
21 the drunk tank, I'm pretty sure.

22 Q. What time did you get there?

23 A. I don't -- I don't know the exact time.

24 Q. What time did you leave?

25 A. I don't know the exact time.

1 Q. So you don't know that you were held
2 for four hours?

3 A. That's just what the cop in there told
4 me, is that we were being held for four hours,
5 before Kayla could pick us up.

6 Q. Who was that officer?

7 A. I don't know.

8 Q. Have you ever been arrested either
9 before or after this?

10 A. No.

11 Q. Have you ever had any run-ins with the
12 police?

13 A. A speeding ticket.

14 Q. Is that here in Biloxi?

15 A. No. It was in Mobile, Alabama.

16 Q. Did you have anything alcoholic to
17 drink before you went to the Hard Rock?

18 A. No.

19 Q. When you were testifying, if I wrote it
20 down correctly, you said that you, Soukup, your
21 husband, and Reimer were in a corner.

22 A. Yes.

23 Q. And that the next thing you remember
24 was that a guy came over, which I think you
25 referred to as a security officer --

1 A. Yes.

2 Q. -- and broke it apart.

3 A. Yes.

4 Q. Do you remember saying that?

5 A. Yeah.

6 Q. My question to you is, what needed to
7 be broken apart?

8 A. They thought Soukup and Jason were in
9 an altercation because Soukup had Jason up against
10 a wall.

11 Q. And they weren't in an altercation?

12 A. No.

13 Q. You're sure about that?

14 A. Yes.

15 MR. BELLINDER:

16 Object to the form.

17 MS. STEEL:

18 Q. Do you have any idea why Kayla Soukup
19 would have taken you out of The Ledge and taken
20 you into the foyer or corridor area and comforted
21 you with a hug?

22 MR. BELLINDER:

23 Object to the form.

24 A. No.

25 MS. STEEL:

1 Q. You don't remember that happening at
2 all?

3 A. No.

4 Q. You were walking behind the officers
5 who were carrying Jason Jordan, correct?

6 A. Yes.

7 Q. If I heard your testimony correctly,
8 you said, A cop asked me who I was. I said, Jason
9 Jordan's wife. And he said, Arrest her.

10 A. Correct.

11 Q. You didn't hear that officer tell you
12 to get back?

13 A. No. I was contained by the security
14 guard. So I was moving where she was moving.

15 Q. My question is, though, did you not
16 hear the officer before you were arrested say for
17 you to get back?

18 A. No.

19 Q. And you were not attacked or hit or by
20 a Biloxi police officer?

21 A. I was grabbed, but other than that, no.

22 Q. And you were grabbed simply to put your
23 hands behind your back and apply the handcuffs.

24 MR. BELLINDER:

25 Object to form.

1 A. Yes.

2 MS. STEEL:

3 Q. When you were grabbed that was -- the
4 next thing that happened was you were handcuffed;
5 is that correct?

6 A. Yes.

7 Q. And when you were grabbed, where were
8 you grabbed?

9 A. In my arm.

10 Q. Was the arm brought behind your back?

11 A. Yes.

12 Q. Now, Jason Jordan, did you see Jason
13 taken out of The Ledge and into the foyer area?

14 A. No.

15 Q. Did you see him on the floor of the
16 foyer area with the security guard near or on top
17 of him?

18 A. When you say foyer area, what are you
19 describing; like, at the bottom of the stairs or,
20 like, by the door of The Ledge?

21 Q. Between the door and the stairs,
22 correct?

23 MR. STEWART:

24 Between the glass doors and the top of
25 the stairs, I think is what you're trying to

1 describe, right?

2 MS. STEEL:

3 Q. Out in the foyer area, not in the
4 actual club.

5 A. The security guards had them in the
6 club by the door. So it was technically still in
7 The Ledge.

8 Q. Okay. So the doors were open?

9 A. Yes. They lead down to the casino.
10 So, yes. Because people were walking out when all
11 this was happening.

12 Q. Do you recall a time when your husband
13 was laying on the floor, lying on the floor, and
14 you were at his head?

15 A. Yes.

16 Q. Where did that take place?

17 A. By the door of The Ledge, on the floor
18 by the door of The Ledge.

19 Q. Okay. At that time, when you were at
20 Jason Jordan's head, where was the security guard?

21 A. On top of him containing him.

22 Q. All right. What was Jason Jordan doing
23 while the security guard was there; what was he
24 doing?

25 A. Telling him to stop touching him, to

1 get off of him.

2 Q. Was he moving around?

3 A. Yes. He was trying to get away from
4 them.

5 Q. Now, when the police came, were you
6 present?

7 A. No. Like, well -- I don't remember
8 them coming up the stairs. Like, I know they came
9 into The Ledge, but no.

10 Q. Did you see them come into the foyer
11 where your husband was on the floor?

12 A. I saw them, yes. I saw them come into
13 The Ledge.

14 Q. What did you do when the police
15 officers came into the foyer area?

16 A. I was talking to the woman security
17 guard.

18 Q. Did you watch the police officers?

19 A. No, not in The Ledge.

20 Q. Did you look at your husband?

21 A. No.

22 Q. Did you see your husband struggle with
23 Biloxi police?

24 A. No.

25 Q. Did you see Biloxi police handcuff

1 Jason Jordan?

2 A. No.

3 Q. You just weren't looking that way?

4 A. No.

5 Q. And you said you did not see Biloxi
6 police tase your husband?

7 A. Correct.

8 Q. Okay. Now, in your complaint, there is
9 an allegation. Do you know what the complaint is?
10 Do you know what I refer to when I say "the
11 complaint"?

12 A. No.

13 Q. It's the lawsuit that you filed in this
14 case. This is my copy, and I've got it marked up
15 but that is the complaint. Have you ever seen
16 that document before?

17 A. No.

18 Q. Okay. In the complaint, it's alleged
19 that two Biloxi police officers tasered your
20 husband. Do you have any personal knowledge of
21 that?

22 A. No.

23 Q. Do you know where that information came
24 from?

25 MR. BELLINDER:

1 Object to the form.

2 A. No.

3 MS. STEEL:

4 Q. Did you look at your husband during the
5 time that the Biloxi police were coming into The
6 Ledge or coming into the foyer of The Ledge?

7 A. I don't remember.

8 Q. Did you see your husband resist and
9 struggle with Biloxi police?

10 MR. BELLINDER:

11 Object to the form.

12 A. No.

13 MS. STEEL:

14 Q. And is that because you weren't
15 looking?

16 A. Yes.

17 Q. Do you have any personal knowledge that
18 your husband lost consciousness?

19 MR. BELLINDER:

20 Object to the form.

21 A. When they were -- yeah.

22 MR. STEWART:

23 Q. What?

24 A. Like, I know he lost consciousness. I
25 don't know when.

1 Q. How do you know he lost consciousness?

2 A. Because I saw them carrying him by his
3 wrists with the handcuffs.

4 Q. So it's your position that he was
5 unconscious when he was being carried out of The
6 Ledge --

7 A. No. He was being carried --

8 Q. -- and through the casino?

9 A. Yeah, like, when he was -- I didn't
10 watch -- like, I don't remember him getting
11 carried down the stairs. But I know he was
12 unconscious when they were kicking him out of the
13 Hard Rock to put him in the police car.

14 Q. Out of the Hard Rock Casino?

15 A. Yes.

16 Q. To the police vehicle?

17 A. Yes.

18 Q. And on what do you base that?

19 A. I was sitting in the cop car watching
20 it.

21 Q. But what did you see?

22 A. His head was hanging down, and his
23 pants were down.

24 Q. So his head was hanging down and his
25 pants were down, and that's what leads you to

1 believe that he was unconscious?

2 A. Yeah.

3 Q. Wasn't he yelling and hollering at that
4 time when he was being taken out of the casino?

5 A. Not out of the casino doors, no.

6 Q. Do you not recall yelling at him when
7 you were outside of the casino to shut up and quit
8 embarrassing yourself?

9 A. No.

10 Q. When you were following behind the
11 police officers who were carrying Jason Jordan out
12 of the casino, did you say anything to Jason
13 Jordan?

14 A. I told him to calm down.

15 Q. Why did you tell him to calm down?

16 A. Because he was yelling. But this was
17 out of The Ledge.

18 Q. But at some point after that, you're
19 claiming that he lost consciousness?

20 A. Yes.

21 Q. When?

22 A. I don't know exactly.

23 Q. And the only indication of a loss of
24 consciousness to you for Jason, in your mind, is
25 the fact that his head was hanging down and his

1 pants were down?

2 MR. BELLINDER:

3 Object to the form.

4 MS. STEEL:

5 Q. Well, isn't that what you testified to?

6 MR. BELLINDER:

7 Asked and answered. Yes, she did.

8 A. Yes.

9 MS. STEEL:

10 Q. Okay.

11 Do you agree with me that the Biloxi

12 police carried Jason Jordan through the casino

13 because he wouldn't stand up and walk?

14 MR. BELLINDER:

15 Object to the form.

16 A. I don't know.

17 MS. STEEL:

18 Q. You think they chose to carry him that
19 way?

20 MR. BELLINDER:

21 Object to the form.

22 A. I don't know.

23 MS. STEEL:

24 Q. Do you think that if your husband would
25 have gotten up and walked that the police would

1 have still chosen to carry him out the way they
2 did?

3 A. No.

4 Q. And did I understand you correctly that
5 you don't know why you suffered a miscarriage?

6 MR. BELLINDER:

7 Object to the form.

8 A. Yes.

9 MS. STEEL:

10 Q. Okay. Were you embarrassed of the way
11 Jason Jordan was acting?

12 MR. BELLINDER:

13 Object to the form.

14 A. Yes.

15 MS. STEEL:

16 Q. Did you feel he was misbehaving?

17 MR. BELLINDER:

18 Object to the form.

19 A. Yeah.

20 MS. STEEL:

21 Q. Did you feel that he had too much to
22 drink?

23 A. I don't know. I wasn't around him. I
24 don't know what he had to drink.

25 Q. Did you tell one of the officers that

1 the reason he was acting that way was because he
2 was mixing his drinks?

3 A. I don't remember.

4 Q. Do you recall an officer named Hickman?

5 A. I don't know any of their names. I
6 just know what they looked like.

7 Q. Was the officer who took you to the
8 Biloxi Police Department, was he nice to you?

9 A. Yes.

10 Q. Did he mistreat you in any way?

11 A. No.

12 Q. What symptoms were you having that
13 prompted you to go to Keesler, according to my
14 records, on 12/22/11?

15 A. I was getting pains in my stomach.

16 Q. So it wasn't the bleeding that got you
17 to the ER; it was pain?

18 A. Yes.

19 Q. In the lower --

20 A. Yes.

21 Q. And have you learned that that pain was
22 associated with the miscarriage?

23 A. Yes.

24 Q. You said you started spotting or
25 bleeding on 12/8/11. Did you bleed at any time

1 prior to that?

2 A. No.

3 Q. Except, of course, your last period.

4 A. Correct.

5 Q. So you didn't consider the bleeding
6 anything out of the ordinary?

7 A. No. It started like a normal period,
8 so that's what I treated it like.

9 Q. It was not like -- it wasn't any
10 heavier than a normal period?

11 A. No. I have a heavy period anyway, so.

12 Q. Was it the consistency of a normal
13 period, or was it like a spotting?

14 A. It was consistent with a normal period.

15 Q. Now, you didn't begin to have any
16 symptoms of a miscarriage until 12/8; is that
17 correct?

18 A. Yes.

19 MR. BELLINDER:

20 Object to the form.

21 MS. STEEL:

22 Q. Did you have anything to drink,
23 anything alcoholic to drink between November 27,
24 '11 and the day you went to the ER on 12/22?

25 A. No.

1 Q. How much caffeine use around November
2 27, '11? Drink coffee?

3 A. I don't drink coffee. I rarely drink
4 pop. So I would assume none.

5 Q. You don't have caffeine use except for
6 soft drinks, and you don't drink them often?

7 A. No.

8 Q. You have one a day?

9 A. Not even one a day.

10 Q. Did you have any health condition or
11 chronic disease or disorder on November 27, '11?

12 A. No.

13 Q. Diabetes?

14 A. No.

15 Q. Pneumonia?

16 A. No.

17 Q. Flu?

18 A. No.

19 Q. Cancer?

20 A. No.

21 Q. Rheumatoid arthritis?

22 A. No.

23 Q. Have you ever had any cervical or
24 uterine problems?

25 A. No.

1 Q. Have you ever had gonorrhea or HIV?

2 A. No.

3 Q. Did you consider the death of Jeff,
4 Jeffrey --

5 A. Jeffrey.

6 Q. Did you consider the death of Jeffrey,
7 your brother, to be a more stressful event than
8 what occurred on 11/27/11 at the Hard Rock?

9 MR. BELLINDER:

10 Object to the form.

11 A. It's a different situation. It was
12 more emotional than stressful.

13 MS. STEEL:

14 Q. Have you cried, did you cry often after
15 your brother died?

16 A. Yes.

17 Q. Daily?

18 A. Yes.

19 Q. Did you miss any work as a result of
20 your brother's death?

21 A. I had already stopped working at the
22 Chevron.

23 Q. Did you have other jobs on the Coast?

24 A. Not at that time, no.

25 Q. You had no other jobs between -- when

1 did you stop working at the Chevron?

2 A. I don't remember the exact date, but it
3 was in November.

4 Q. When did you begin work again?

5 A. Not until October of 2012.

6 Q. And that's with?

7 A. New York and Company and Bath and
8 Bodyworks at the same time.

9 Q. I hate to keep asking, but I'm
10 defending my client here.

11 A. No, that's fine.

12 Q. Did you consider the death of your
13 brother to be more emotionally upsetting to you
14 than what occurred at the Hard Rock on 11/27/11?

15 MR. BELLINDER:

16 Object to the form.

17 A. Yes.

18 MS. STEEL:

19 Q. Have you required any medical treatment
20 since the miscarriage?

21 A. Just like pap smears and stuff.

22 Q. Jason Jordan testified in his
23 deposition that he had photographs of injuries.
24 Have you seen those photographs?

25 A. I took them.

1 Q. When were they taken?

2 A. The day after. Like, the day after he
3 was arrested, the day after the incident.

4 Q. What are the photos of?

5 A. His face, his ear. I believe there is
6 bruises on his back.

7 Q. Did you bring those photographs?

8 A. No.

9 MR. BELLINDER:

10 Do you know where they're at by any
11 chance?

12 THE WITNESS:

13 On Jason's computer.

14 MR. BELLINDER:

15 Will you tell him, if he can, to find
16 them and send them to me, email them, however, and
17 we will disseminate them.

18 MS. STEEL:

19 Q. You testified -- and I didn't really
20 understand this -- that you have not been on birth
21 control at any time since you met Jason?

22 A. Correct.

23 Q. And why is that?

24 MR. BELLINDER:

25 Object to the form.

1 A. I have just never. It gives me --
2 like, it makes my periods worse. Like, I cramp
3 worse and stuff when I'm on birth control, so I
4 just don't.

5 Q. And you haven't taken any birth control
6 pills?

7 A. No.

8 Q. Did you use any intrauterine devices
9 for birth control?

10 A. No.

11 Q. Does Jason use birth control?

12 A. No.

13 Q. A condom?

14 A. No.

15 Q. Now, do you and your husband -- did you
16 and your husband have intercourse from
17 November 27, '11, to 12/22/11, when you went to
18 Keesler emergency room?

19 A. I don't remember. I know we didn't
20 have any after my brother passed away. But in
21 between that time, I would assume maybe yes, but I
22 couldn't tell you.

23 Q. After your brother passed away on
24 12/9 -- correct?

25 A. Yes.

1 Q. -- '11, you and Jason did not have
2 intercourse for how long?

3 A. I'm not sure.

4 Q. But that was because -- not because of
5 the Hard Rock incident but because you were
6 grieving over your brother?

7 A. Correct.

8 Q. Was there any household chore that you
9 were unable to do as a result of the incident at
10 the Hard Rock on 11/27/11?

11 A. No.

12 Q. How much money are you trying to
13 recover in this lawsuit?

14 MR. BELLINDER:

15 Object to the form.

16 A. I don't know.

17 MS. STEEL:

18 That's all I have.

19 EXAMINATION

20 BY MR. CLARK:

21 Q. My name is Austin Clark. I'm the
22 attorney for Josh Hamilton. He's also been named
23 in this lawsuit. I just want to ask you some
24 questions.

25 Did you know Josh Hamilton before

1 November 27, 2011?

2 A. No.

3 Q. When was the first time you, I guess,
4 came into contact with Josh Hamilton?

5 A. At the bottom of the stairs of The
6 Ledge.

7 Q. And can you just -- and since that
8 time, have you ever seen Josh Hamilton, or do you
9 know him in any other situation other than the
10 night at the casino?

11 A. No.

12 Q. Tell me about the bottom of the stairs.
13 When you first saw him, what was he doing?

14 A. He was, like, he was around my husband.

15 Q. Doing what? And you're talking about
16 the bottom of the stairs at The Ledge, the bottom
17 of the stairs from The Ledge and the casino floor?

18 A. Yes.

19 Q. You said he was around your husband.
20 What is he doing?

21 A. He was talking to him.

22 Q. This was at the stairs?

23 A. Yes.

24 Q. Did you hear what he was saying?

25 A. No. Like, there was multiple. Like, I

1 think they were trying to get my husband to stand
2 up. Like, I know they were talking. There was a
3 few of them. I don't know.

4 Q. At that point, what did you next see
5 Josh Hamilton do?

6 A. He talked to me and asked me who I was.

7 Q. Okay.

8 A. And then he told the cop, the
9 red-headed cop, to arrest me.

10 Q. I'm sorry. I'm still at the bottom of
11 the stairs. From there, you would agree with me
12 that you went some distance from the stairs to
13 another point of the casino floor; is that right?

14 A. Yes.

15 Q. From the bottom of the stairs to the
16 next point where you stopped in the casino, what
17 did you see Josh Hamilton do?

18 A. I don't know.

19 Q. You don't remember what he was doing?

20 A. No. I was talking to the security
21 guard who had a hold of me.

22 Q. Was he in front of you?

23 A. Yes.

24 Q. He was in front of you.

25 A. And on the side of my husband.

1 Q. From the stairs to the next point where
2 y'all stopped in the casino, Josh Hamilton was in
3 front of you?

4 A. Yes.

5 Q. And you said he was beside your
6 husband?

7 A. Yes. He was on the right side.

8 Q. What was he doing on the right side of
9 your husband?

10 A. He was carrying him.

11 Q. Carrying him how?

12 A. By his arm. Like, by his arm because
13 there was another one, too. It wasn't just him.

14 Q. And then, what did you see Josh
15 Hamilton do?

16 A. Then, Jason was on the floor, and the
17 security guard walked me over his legs and that's
18 when he asked who I was. And then I was arrested.

19 Q. And it's your testimony today that
20 you're positive that it was Josh Hamilton on the
21 right side of your husband carrying him by the
22 arm?

23 A. Yes. He had a hat on.

24 MR. BELLINDER:

25 Object to the form.

1 MR. CLARK:

2 Q. And you're positive that Josh Hamilton
3 rolled your husband's right arm and turned to you
4 and asked you who you were?

5 A. Yes.

6 Q. And then told another officer to arrest
7 you?

8 A. Yes.

9 Q. And then what happened to you at that
10 point?

11 A. Then, the officer, the red-headed guy,
12 he grabbed my arm, arrested me and started asking
13 me questions.

14 Q. From that point, what's the next thing
15 you saw Josh Hamilton do?

16 A. I don't remember. I was focused on
17 being arrested at that point. Like, I was talking
18 to my police officer.

19 Q. You don't recall anything, other than
20 talking to that officer, from that point on the
21 casino floor to the exit doors of the casino?

22 A. Yes.

23 Q. You have no recollection of anything
24 that Josh Hamilton did?

25 A. No.

1 Q. Were your conversating with the other
2 officer, I think you said the red-headed officer,
3 do you know his name?

4 A. No, I don't.

5 Q. Would Hickman ring a bell?

6 A. I don't know.

7 Q. You believe you were talking with him
8 that entire time?

9 A. Yes.

10 Q. Did you go down the escalator with him,
11 or did you go down the stairs?

12 A. I'm pretty sure the stairs.

13 Q. Was your husband carried down the
14 escalator or the stairs; do you recall?

15 A. The escalator.

16 Q. So as he was coming down the escalator,
17 you are coming down the stairs with the red-headed
18 officer at this time?

19 A. I believe I was at the top for a
20 minute, though. I don't know.

21 Q. And, again, you don't recall where Josh
22 Hamilton was or what he was doing at that point?

23 A. No.

24 Q. At the bottom of the stairs when your
25 husband -- at the bottom of the escalator, do you

1 recall from that point to the exit doors anything
2 that Josh Hamilton did?

3 A. Not until outside of the casino, no.

4 Q. Not until outside of the casino?

5 A. Yeah, like when I'm in the cop car.

6 Q. I believe you said earlier you didn't
7 know names, but you knew what the officers looked
8 like. Do you recall that?

9 A. Yes.

10 Q. If the officers that were present
11 November 27, 2011, were in this room right now,
12 would you be able to pick out Josh Hamilton?

13 MR. BELLINDER:

14 Object to the form.

15 A. I think so, yeah.

16 MR. CLARK:

17 Q. You think so?

18 A. Yes. I mostly remember my cop.

19 Q. I'm just asking because this complaint
20 that you filed named Josh Hamilton individually,
21 and I'm just trying to figure out what you know
22 about him and the allegations in this complaint.
23 And you're saying you're not sure if you could
24 pick him out if he is in this room right now?

25 MR. BELLINDER:

1 Object to the form.

2 A. No.

3 MR. CLARK:

4 Q. So you have no idea, really, what Josh
5 Hamilton did, at least according to you, from the
6 point where he allegedly told another officer to
7 arrest you; you have no more memory of what Josh
8 Hamilton did?

9 MR. BELLINDER:

10 Objection.

11 A. Besides carrying my husband out, no.

12 MR. CLARK:

13 Q. Your complaint at Paragraph 30 -- I
14 really don't have it in front of me. But it
15 mentioned something about a You Tube video. What
16 do you know about a You Tube video?

17 A. It's the video where Josh was talking
18 to the guy, where the guy is trying to ask him if
19 he can use the phone to call for a ride, and the
20 guy was telling him to get the fuck out of his
21 face and ends up arresting him.

22 Q. And why is that in your complaint? Do
23 you feel like you're owed anything in this lawsuit
24 from that You Tube video?

25 A. No, but --

1 MR. BELLINDER:

2 Object to the form.

3 A. -- I saw it happen.

4 MR. CLARK:

5 Q. You --

6 A. I was in the cop car when they were all
7 yelling at each other.

8 Q. And you saw that happen?

9 A. Yes.

10 Q. You saw Josh Hamilton having a
11 conversation with somebody outside the casino?

12 A. Yes.

13 Q. And the person you saw having
14 that conversation who you say is Josh Hamilton is
15 the same person who was on the right side of your
16 husband, carrying his arm, asking your name, and
17 told another officer to arrest you?

18 A. Yes.

19 Q. Your complaint also mentions a dozen
20 witnesses who voluntarily contacted you and your
21 husband and Mr. Soukup indicating their
22 willingness and intention to testify. Who are
23 these people? Do you have their names and
24 numbers?

25 A. It wasn't me. I don't know. It was

1 Jason.

2 Q. So Jason would have over a dozen
3 people's names and numbers that contacted him
4 voluntarily with information about this incident?

5 A. It would be Jason or Chris, yes.

6 MR. BELLINDER:

7 Object to the form.

8 MR. CLARK:

9 Q. But nobody ever called you?

10 A. No.

11 Q. Nobody ever came to you and said they
12 would help you if you filed a lawsuit?

13 A. No.

14 Q. I was just curious about this. And I
15 don't know if this relates to anything or not.
16 When you were inside the casino, there was a point
17 where you said a person pulls you off your
18 husband, a Chevron guy. You said you knew him. I
19 didn't understand that. Who was that person?

20 A. He was just a customer that I knew at
21 the Chevron gas station. He -- because the casino
22 was closing and everyone was leaving and he didn't
23 realize I was involved, like he didn't realize,
24 like, know that was my husband. Because he
25 doesn't know my husband. He just knows me from

1 work. So he was like trying to get me to like
2 walk out, like -- and then, I was like, no, that's
3 my husband. And we started talking. Like, he
4 doesn't really have anything to do with this.

5 Q. You didn't recall his name?

6 A. No, I never knew his name.

7 Q. And how long had you worked at Chevron?
8 You quit right after this, correct?

9 A. Yes.

10 Q. How long had you been at Chevron?

11 A. Two months.

12 Q. So in the two months, how often did you
13 see this guy that pulled you off your husband?

14 A. A few times a week. Probably three or
15 four times a week.

16 Q. So he is a regular?

17 A. Yes. Everyone at the Chevron for the
18 most part is a regular.

19 Q. And you said I believe you worked 3:00
20 to close usually?

21 A. Yes.

22 Q. Do you recall what time of day he was
23 in the Chevron?

24 A. There wasn't a specific time.

25 Q. Periodically?

1 A. Yes, periodically.

2 Q. Had you seen him earlier that night in
3 The Ledge?

4 A. Yes -- no, not until the door -- oh,
5 yes, yes, I had, at the bar. Like, when he walked
6 in, like, he saw me and said, Hi. But we
7 didn't -- besides like waving, that was it.

8 Q. And other than that, you didn't speak
9 to him anywhere else in The Ledge?

10 A. No.

11 Q. You don't know his name, but you
12 recognize faces and that's why you knew each
13 other; is that right?

14 A. Yes.

15 Q. And do you know why he was in the
16 vicinity of that group when your husband was on
17 the ground and you were on top of him; do you have
18 any idea why he was anywhere near y'all at that
19 point?

20 A. He was just trying to get me -- like,
21 see what was going on, get me to walk out of The
22 Ledge because he didn't know that that was my
23 husband.

24 Q. I'm asking if you know why he was in
25 that area at that point in time.

1 A. No.

2 MR. BELLINDER:

3 Object to the form.

4 MR. CLARK:

5 Q. Had you two been together elsewhere in
6 the club or in the Ledge, I'm sorry?

7 A. Besides when we said hi when he walked
8 in by the bar, no.

9 Q. Okay. Did your husband know?

10 A. No, he doesn't know him.

11 Q. A guy that you don't know his first
12 name, it was okay for him to put his hand on you
13 and pull you off your husband or pull you off
14 everybody?

15 MR. BELLINDER:

16 Object to the form.

17 A. He was just trying to get me to walk
18 out of The Ledge.

19 MR. CLARK:

20 Q. Okay. We talked earlier, too, about
21 Jason's deployment window. And I just wanted to
22 clear that up, too. This event happened at the
23 end of 2011. And I think you said at that point
24 he had had nine months or so in.

25 A. Uh-huh.

1 Q. Did you already know at that time in
2 November that his window was going to be July to
3 September; do you recall if y'all knew at that
4 point?

5 A. I don't know. Like, I don't think I
6 did, but I'm sure he did.

7 Q. And I thought I heard you say that he
8 was supposed to go during that period of time.
9 And I was a little unclear. When would he know
10 for sure that he is going to go on any open
11 window? Do you understand what I mean?

12 A. Yeah, but I don't know exactly when
13 they would have told him.

14 Q. Could it be that his window comes up
15 and he doesn't go at all?

16 A. Yes.

17 Q. And you're also saying in that window
18 he may -- it starts in, I think you said July. He
19 could be there July, August, and then, at the end
20 of August they could say you're going; could that
21 happen?

22 A. Yes.

23 Q. Had he mentioned anything to you in
24 November about knowing that he was going to be
25 deployed in that window in 2012?

1 A. No.

2 Q. In this case, you're asking for
3 damages. Do you have any idea how you would
4 quantify your damages as to what you allege Josh
5 Hamilton did to you?

6 MR. BELLINDER:

7 Object to the form.

8 A. No.

9 MR. CLARK:

10 Q. Do you attribute any damages from this
11 lawsuit to Josh Hamilton?

12 MR. BELLINDER:

13 Object to the form.

14 A. I don't understand the question, I
15 don't think.

16 MR. CLARK:

17 Q. Are you asking for money from Josh
18 Hamilton based on allegations in the complaint?

19 MR. BELLINDER:

20 Object to the form.

21 A. I don't know.

22 MR. CLARK:

23 Q. He is named in this lawsuit. The city
24 of Biloxi is named. The casino is named. And I
25 can understand that. But no other individual is

1 named but Josh Hamilton. And I'm trying to figure
2 out --

3 MR. BELLINDER:

4 Object to the form.
5 Mischaracterization.

6 A. I don't understand.

7 MR. BELLINDER:

8 There is five other Does, specific
9 Does. I understand what you're getting at,
10 but --

11 MR. CLARK:

12 Is there a second amended complaint?

13 MR. BELLINDER:

14 I was objecting to your observation
15 that you can understand why certain defendants
16 were named in this suit as opposed to any other
17 defendant.

18 In addition to, she's not a lawyer.
19 She says she hasn't seen it. She said she doesn't
20 understand it. But I'm not instructing her not to
21 answer.

22 MR. CLARK:

23 Q. Do you know why you sued Josh Hamilton?

24 MR. BELLINDER:

25 Object to form.

1 A. No.

2 MR. STEWART:

3 I promise really short.

4 EXAMINATION

5 BY MR. STEWART:

6 Q. Did Jason apologize to you for what
7 happened during this incident?

8 A. No.

9 Q. He never said I'm sorry for all this?

10 A. Like, the next -- yes.

11 Q. Do you know when he apologized to you
12 for the way he acted during this accident?

13 MR. BELLINDER:

14 Object to the form.

15 A. The next day.

16 MR. STEWART:

17 Q. Did y'all make up right then?

18 MR. BELLINDER:

19 Object to the form.

20 A. I don't understand the question.

21 MR. STEWART:

22 Q. Was everything okay after he
23 apologized? Were you mad at him after that, or
24 was it all over with?

25 A. Everything was okay even before I saw

1 him and he apologized. I wasn't mad about
2 anything.

3 Q. You didn't feel like he owed you an
4 apology for the way he acted that night and that
5 morning?

6 A. I don't know what he was thinking, but
7 I wasn't mad.

8 Q. You don't attribute any damage that you
9 allege in this case to the way your husband acted?

10 MR. BELLINDER:

11 Object to the form.

12 A. Can you reword the question?

13 MR. STEWART:

14 Q. Do you blame him at all for the fact
15 that you suffered any injury during this incident,
16 your husband?

17 MR. BELLINDER:

18 Object to the form.

19 A. No.

20 MR. STEWART:

21 Q. None whatsoever?

22 A. No.

23 MR. BELLINDER:

24 All right. That's it. You're done.

25 (Deposition concluded at 5:05 p.m.)

1 CERTIFICATE OF COURT REPORTER

2 I, Janna White, CSR #1312, do hereby
3 certify that the foregoing pages contain a true
4 and correct transcript of the testimony of the
5 witness as taken by me at the time and place
6 heretofore stated and later reduced to typewritten
7 form by computer-aided transcription under the
8 authority vested in me by the State of Mississippi
9 to testify to the truth and nothing but the truth
10 in this cause and was thereupon carefully examined
11 upon this oath.

12 I further certify that I am neither
13 attorney or counsel for nor related to or employed
14 by any of the parties to the action in which this
15 deposition is taken and further that I am not a
16 relative or employee of any attorney or counsel
17 employed by the parties hereto or financially
18 interested in the action.

19 Witness my signature, this the ____ day
20 of _____, 2014.

21
22
23 _____
24 Janna White, CSR #1312
25

SIGNATURE OF WITNESS

I, _____ do solemnly swear
that I have read the foregoing _____ pages and
that the same is a true and correct transcript of
the testimony given by me at the time and place
hereinbefore set forth, with the following
corrections:

PAGE: LINE: CORRECTION:

Alyssa Jordan

NOTARIZATION

I, _____ notary public for
the State of Mississippi, _____ County,
do hereby certify that _____
personally appeared before me this the _____ day
of _____ 2014, at _____
Mississippi.

Notary Public

My Commission Expires:

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